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Screen test

TO THE EDITORS:

I wish to commend Shannon Brownlee's excellent article on mammography and breast cancer ("Search and Destroy," April 22). Disease screening is appropriate when the following five criteria are met: the disease causes significant morbidity or mortality; early detection of the disease results in better outcomes; subpopulations with a high prevalence of the disease can be selected; the screening test has good sensitivity and specificity with a very high predictive value of a negative test; and a more definitive diagnostic test (with very high specificity) exists. As Brownlee's article noted, mammographic screening for breast cancer fails to fulfill three of the five criteria: not all variants of breast cancer will cause significant morbidity or mortality; early detection improves outcomes for only some breast cancers; and subpopulations with a high prevalence of *aggressive* breast cancer are not identified. I also could make a case for mammography not fulfilling the fourth criteria, since its specificity is low.

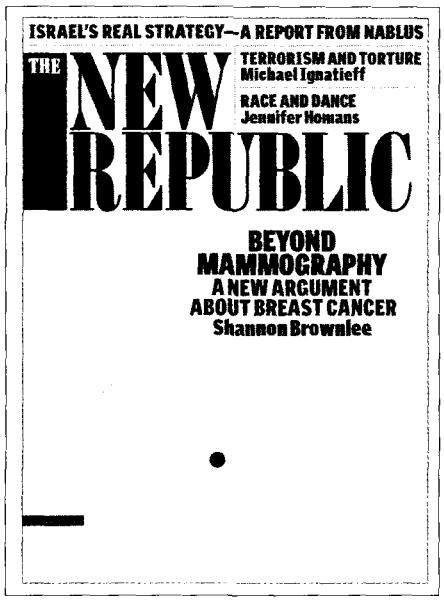
Most American physicians advocate aggressive approaches to all treatable cancers—even those with low propensities for causing mortality or serious morbidity. This reflects a trend toward treating the disease and not the patient. It also reflects the tendency of most Americans to inflate risks and to try to eliminate them. Breast cancer and prostate cancer are two diseases greatly affected by these trends.

Still, physicians' responses to changing standards are abysmal. Many physicians, physician organizations, and public organizations (such as the American Cancer Society) have vested interests in maintaining the status quo. I believe it will take major breakthroughs in genetic- and protein-based cancer screening and categorization tests, and then many more years of discussion and debate, before physicians and patients accept a better way of handling cancers.

GREGORY TETRAULT, M.D.
Clinical Pathologist
Chesapeake, Virginia

TO THE EDITORS:

As advocates for breast cancer screening and research, the organizations behind National Breast Cancer Awareness Month (NBCAM)—comprising leading breast cancer and women's health groups—welcome every opportunity to draw attention to the disease and encourage women to take steps to detect breast cancer early in order to treat it and increase chances for survival. However, the current media firestorm over the effectiveness and benefits of mammography does not appear to us to be an evenhanded way of treating the recent reports about screening for breast cancer with mammography. Much of the controversy stems from recent articles published in *The Lancet* in which the authors contend that mammography is "unjustified" and the methodology and findings of several large screening trials are criticized. Brownlee cited the *Lancet* piece and then dismissed recommendations that reaffirmed existing mammography screening guidelines, like those based on follow-up from earlier trials made by the U.S. Preventative Services Task Force.



Statistics from the newly reanalyzed screening trials cited by the mammography naysayers are misleading. These decades-old studies do not reflect advances in technology and medical knowledge. Computer-assisted technology and digital imaging, as well as ultrasound, have augmented routine mammography. Biopsies, when necessary, are less of an ordeal than they were years ago. Suspicious lesions are biopsied and a diagnosis can be made before a patient must decide about treatment.

Yes, we must support the development of even better screening techniques, as well as conduct research on how to prevent breast cancer. In the meantime we cannot abandon the best method we now have for early detection of breast cancer: mammography.

SUSAN NATHANSON
National Coordinator
National Breast Cancer Awareness Month
Chicago, Illinois

TO THE EDITORS:

I was amazed and disappointed to read Brownlee's article concerning screening mammography. Why risk the lives of women just to challenge the establishment? The Danish "study" has been completely repudiated. The concerns they raised that led them to exclude five out of the seven randomized, controlled trials (scientifically unjustified in the first place) have been shown to be groundless and clearly reflected their lack of knowledge concerning the randomized, controlled trials. Mammographic screening is far from perfect, but it compares favorably to Pap testing; and the death rate from breast cancer has decreased in the United States by 20 percent (which Brownlee seems to disparage)—mostly due to screening.

DANIEL B. KOPANS, M.D., F.A.C.R.
Professor of Radiology
Harvard Medical School
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Boston, Massachusetts

SHANNON BROWNLEE REPLIES:

Far from being completely repudiated, as Dr. Kopans argues, the Danish study has reaffirmed the fact that mammography's benefits are far from clear—otherwise experts wouldn't be arguing about it. When two independent scientific panels recently looked at the study, one found fault with the Danish researchers' methodology, while the other concluded that it was no longer possible to recommend mammograms for women of any age. And there is scant evidence to support Kopans's claim that the decrease in the death rate from breast cancer is mostly due to screening. Many experts, among them epidemiologists and oncologists, believe that better treatment deserves the credit more than does mammography.

When it comes to breast cancer, anyone who challenges the establishment is accused of risking women's lives. In the 1970s and 1980s it was doctors who argued against the indiscriminate use of the radical mastectomy. Now it's anyone who dares to point out that breast cancer screening has a downside. Maybe it's time to give women the facts about mammography's risks as well as its benefits, so they can decide for themselves. ■

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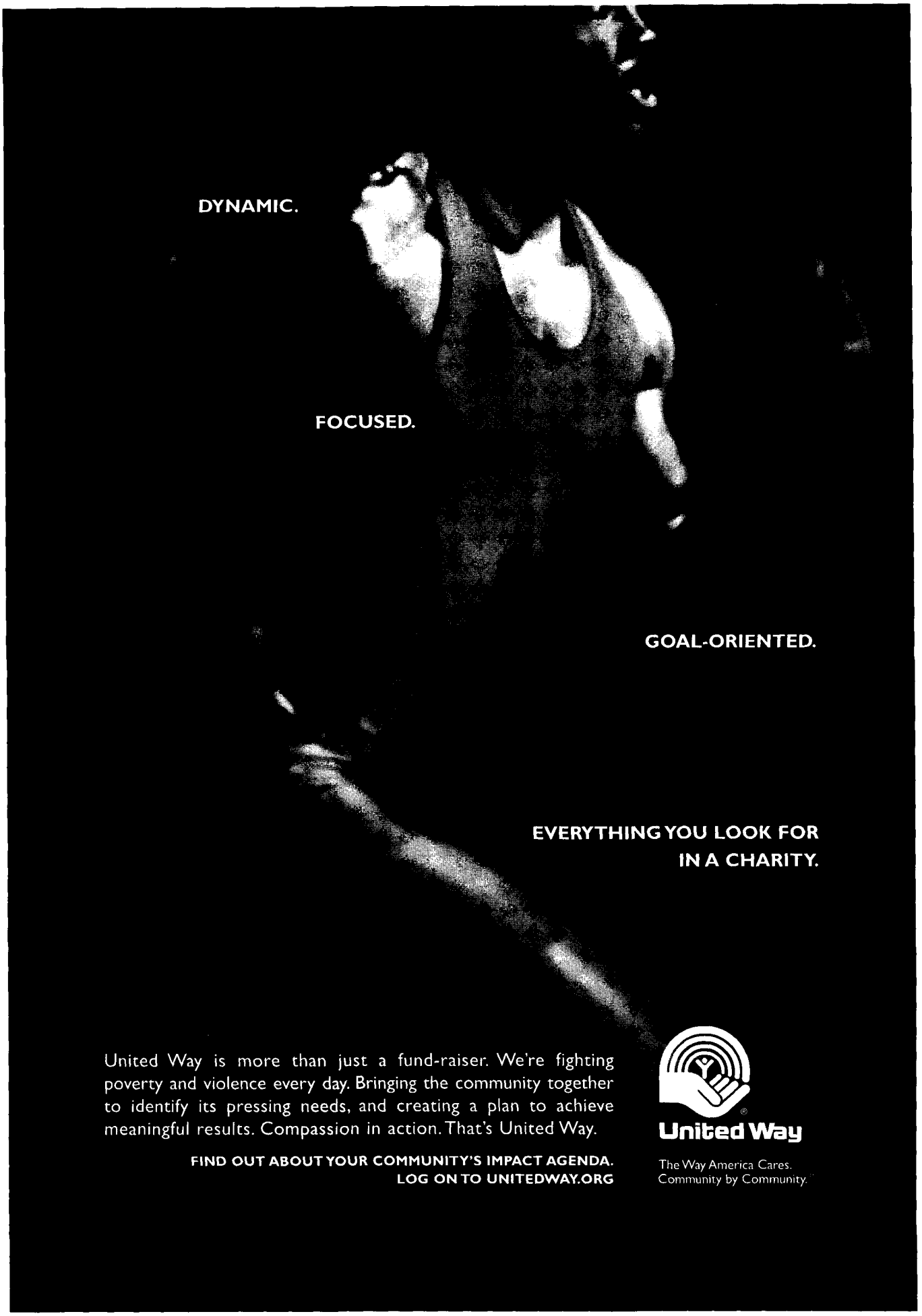
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TRB

FROM WASHINGTON

New Life

AT THIS EARLY date, several fault lines seem likely to divide the 2004 Democratic presidential field. The first is experience: Al Gore (assuming he runs) will insist that after September 11 it's essential; John Edwards will remind voters that Gore has experience losing. The second is geography: Richard Gephardt (or Tom Daschle or both) will focus on Iowa; John Kerry will rely on New Hampshire; Edwards will concentrate on the South. The third is style: Joe Lieberman is solemn; Edwards is folksy; Kerry is aggressive; Gore is anyone's guess.

Where the candidates aren't sharply divided—at least so far—is on the issues. Each falls within the fairly narrow post-Clinton consensus: fiscally conservative, socially liberal, politically timid. Once upon a time, Lieberman—who flirted with vouchers and Social Security privatization and opposed affirmative action—would have been the obvious candidate to break out of that consensus, to the right. But since his vice presidential selection, Lieberman has made peace with the teachers' unions and civil rights groups that wield so much power in Democratic primaries—and as a result, on domestic policy he now sounds like everyone else. There's still a chance that Lieberman, or even Gore, could go to the right of the field on foreign policy—by aggressively backing a war on Iraq. But on domestic affairs, the open space is on the left. And in that vein, I have a modest, and modestly heretical, proposal: It may be time for a national Democrat to take on the death penalty.

During the Clinton years national Democrats banished capital punishment from their agenda. The party's metamorphosis on the issue was encapsulated in two singular moments: Michael Dukakis's emotionless answer to Bernard Shaw's question about whether he'd want the death penalty if his wife Kitty were raped and murdered; and Bill Clinton's decision to fly home to Arkansas in January 1992 to execute mentally retarded murderer Ricky Ray Rector. Many Democratic strategists think Clinton's grotesque move helped him win the White House. And since then, virtually every prominent Democrat has either reversed his previous opposition to the death penalty or gone silent on the topic. In 2000 Gore said he considered capital punishment a deterrent. Gephardt, Daschle, Lieberman, and Edwards support it as well. Kerry remains generally opposed; but when asked about his position a couple of weeks ago in South Carolina, he was so afraid of appearing anti-death that he noted, in a morbid non sequitur, "I killed people in Vietnam."

But while Beltway Democrats remain terrified of the issue, in the states there is mounting evidence that the politics of capital punishment are changing. The biggest reason is America's decade-long decline in crime, which on issue after issue—from gun control to mandatory sentencing—has tipped public opinion away from the early 1990s obsession with law and order toward a greater concern for civil liberties and individual rights. According to ABC News, support for capital punishment, which stood at 77 percent in 1996, fell to 65 percent this month. More importantly, the death penalty debate has shifted from outright abolition—which remains unpopular—to a moratorium; from whether government has the right to kill to whether it is doing so competently and fairly. And that shift—like the shift on abortion from outright abolition to prohibitions on the partial-birth procedure—has leveled the political playing field. In an ABC/*Washington Post* poll last year, a death penalty moratorium garnered a majority of public support.

And that support has expressed itself particularly strongly in the states where moratoriums have actually been proposed. In January 2000 Republican George Ryan became the first governor to halt executions, after a study found that Illinois had exonerated more death-row inmates than it had executed. Polls at the time showed that 70 percent of state residents approved of his decision (and 64 percent still support the moratorium today). Since then, the idea has picked up steam—a moratorium passed the Nebraska legislature and failed in New Mexico's by a mere two votes. (In 2000 the New Hampshire legislature passed an outright ban—only to see it vetoed by its Democratic governor.) Nine states are currently conducting studies of their capital punishment systems, studies that will likely generate momentum for a halt to executions. And last week Maryland became the second state to impose a moratorium. According to public opinion polls there, almost half of state residents approve.

For a Democratic presidential hopeful, endorsing a moratorium would be risky. But it might pay off. In the 2004 primaries, the African American vote looks up for grabs (though Gore has the early edge). And given the obvious racial disparities in the death penalty's application, a Democrat who made it an issue could make real inroads among the party base.

There's also reason to believe a moratorium has appeal beyond liberals and therefore wouldn't necessarily prove crippling in a general election. As crime has receded over the last decade, the right's libertarian instincts have come to the fore. By focusing on the incompetent and unjust way the death penalty is administered, moratorium supporters have tapped into conservative distrust of government—which may explain why the issue has attracted considerable support in New Hampshire and New Mexico, two of the most libertarian states in the union. As George Will noted in a column two years ago, "Capital punishment, like the rest of the criminal justice system, is a government program, so skepticism is in order."

And the movement is making inroads among social conservatives as well. The Bush administration frequently employs the Catholic Church's "seamless garment of life" rhetoric to justify its opposition to abortion and stem-cell research; in his May 2001 speech at Notre Dame, the president vowed to "protect life in all its stages." But for the Catholic Church, protecting life includes opposing the death penalty—and Pope John Paul II has been particularly vocal on the issue. In Maryland one of the key lobbies for a moratorium was the state's Catholic Conference.

Death penalty supporters point to polls showing that, as a whole, Catholics are just as pro-death penalty as are other Americans. But the Bush administration isn't focused on Catholics as a whole; they're focused on what White House strategists call "active Catholics"—those who go to Mass weekly and are more likely to follow Church teachings. The problem for the GOP is that if these Catholics follow Rome's lead on abortion and cloning, they probably follow it on capital punishment as well. And having developed "compassionate conservatism" in part to appeal to them, Bush is poorly situated to make capital punishment a centerpiece of his campaign.

None of this makes advocating a moratorium politically safe. But in this authenticity-starved age, speaking up bluntly for what you believe can bring its own rewards—witness McCain's surprise success in the 2000 GOP primaries. In his heart, I bet every Democratic presidential contender thinks America's death penalty system is a disgrace. The interesting candidate will be the one with the courage to say so.

PETER BEINART

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Nuclear Waste

OVER THE LOUD objections of both environmentalists and the state's political leadership, Nevada is now one step closer—in the eloquent words of Texas Representative Joe Barton—to reclaiming its "nuclear heritage." On May 8 the U.S. House of Representatives voted overwhelmingly to back the Bush administration's decision to proceed with long-delayed plans to establish a permanent nuclear waste repository at Yucca Mountain, some 90 miles northwest of Las Vegas. More specifically, *Republicans* voted overwhelmingly to back the Bush administration's decision; Democrats were evenly split. Speaking for many on his side of the aisle, House Minority Leader Richard Gephardt predicted that transporting the nuclear waste from sites across the country would lead to truck and train wrecks, spilling lethal radiation across our schoolyards and neighborhoods. "This is not a question about isolating the risk," Gephardt warned fellow House members. "Yucca Mountain in reality simply spreads it around." But most House members dismissed these concerns. And now all that stands between Americans and a permanent home for the 40,000-plus tons of radioactive material already awaiting transport are Gephardt's Democratic colleagues in the Senate, who think that opposing Yucca Mountain will help the party at the polls this fall. In other words, they're shamelessly putting politics ahead of safety. And we hope they fail.

While some technical questions remain, there is a clear scientific consensus that Yucca Mountain is well suited for long-term waste disposal. As we noted in this space six months ago (see "Waste Away," November 26, 2001), federal scientists estimate that area residents will experience less radiation from Yucca than they're getting from the sun or from the potassium in bananas. As for transporting the stuff, the Department of Energy says that virtually indestructible containers can be constructed. If, God forbid, a truck carrying nuclear waste were to overturn, nearby vehicles might be crushed by the massive containers, but they would not be contaminated by the radioactive materials within. Moreover, systematically consolidating waste at Yucca is vastly preferable to leaving the material at the 131 *temporary* facilities scattered across 39 states. The concrete casks in which the waste is currently stored were never meant as a permanent solution; the material they contain will remain toxic for years beyond the containers' life span. And it is much easier to ensure security at one central site than at several dozen geographically dispersed ones.

Unfortunately, for many Democrats these scientific arguments aren't as compelling as the political ones on the other side. For starters, Nevada Senator Harry Reid is vociferously opposed; and as majority whip he wields considerable power. Adding to his clout, Reid was instrumental in convincing Vermont's Jim Jeffords to abandon the GOP last spring, throwing the Senate back into Democratic hands. Shortly thereafter, freshly minted Majority Leader Tom Daschle appeared at a Reid fund-raiser to assure Yucca opponents, "As long as we're in the majority, it's dead." Also in Reid's corner are two deep-pocketed special interest groups: the casino industry—which fears that Yucca will scare tourists out of Vegas—and many environmental organizations, which think that if the nuclear industry has a permanent site for its waste, it will be emboldened to build more power plants. As a result, while 38 Senate Republicans have come out in favor of the Yucca plan (versus only two against), 17 of the 27 Democrats with a stated position oppose making Yucca America's permanent repository.

Democrats are also keenly aware of the electoral potential of opposing the Yucca plan. Back in 2000, with the White House on the line, George W. Bush and Dick Cheney vowed to veto any attempt to build a temporary storage site at Yucca and implied that they opposed a permanent repository as well. Since then, the president has made the scientifically laudable but politically risky decision to reverse course, and Nevadans are furious. Yucca Mountain, Gephardt has predicted, "will be pivotal" not only in the swing state of Nevada—which boasts two contested House races this fall—but in several nearby states through which shipments of Yucca-bound waste will pass. In the Democrats' dream scenario, Bush's support of the Yucca dump—a particularly touchy subject out West, where property rights are a perennial hot-button issue—combined with a growing Latino presence, will help loosen the GOP's long-standing stranglehold over the region.

But while Democrats hatch plans for partisan gain, tens of thousands of tons of nuclear waste continue to pile up in underprotected storage sites around the country. Daschle and Gephardt may be right that Bush will pay a political price because he's doing the right thing on Yucca Mountain. But the more important question is: What price will the country pay because the Democrats aren't? ■

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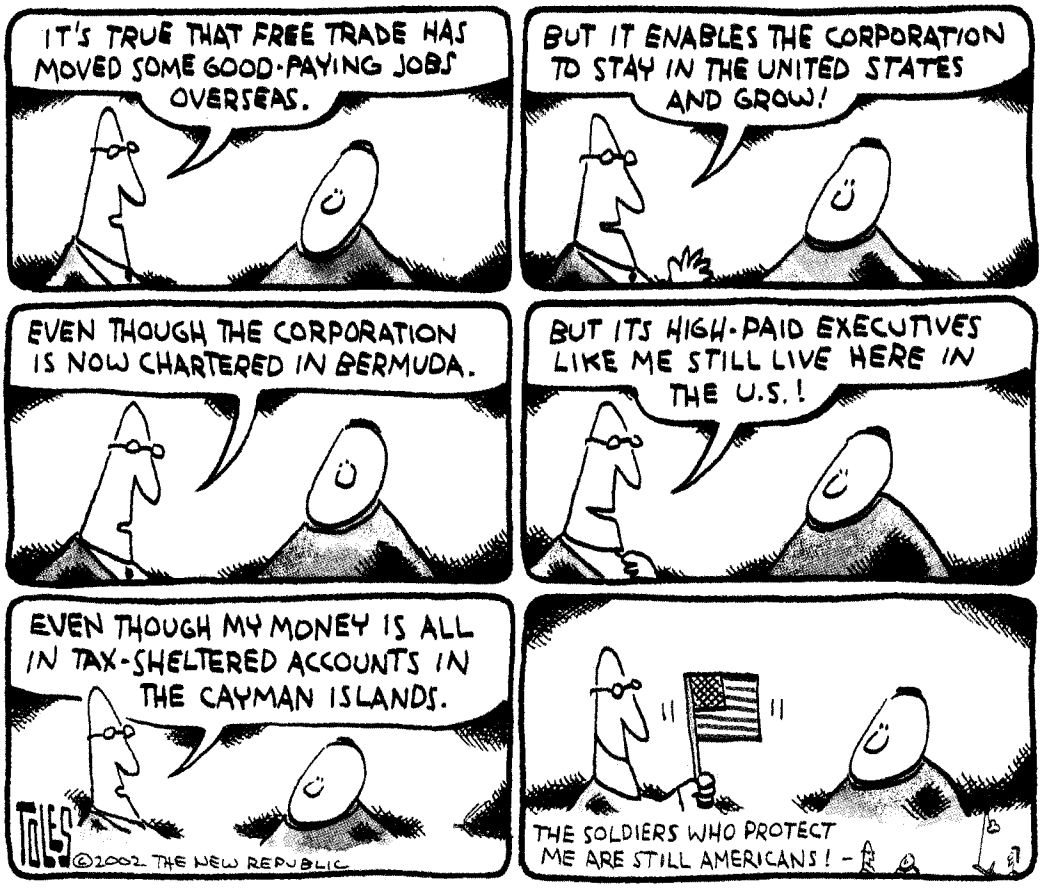
NOTEBOOK

A ROSE BY ANY OTHER NAME: Remember when people called the estate tax the "estate tax"? Anti-tax lobbyists disliked that term because it made the tax sound like something that only affected people who inherited, well, estates—which is, in fact, the case. So voilà, the estate tax became the "death tax"—a far less accurate but vastly more sinister-sounding term. Several years ago Republicans began using the new term exclusively, and today newspapers use death tax and estate tax interchangeably. Now something similar is happening with Social Security privatization. For years Republicans have pushed for fully or partially privatizing the retirement program, with little success. But rather than conclude that this is because the idea itself is unpopular, GOP leaders have decided that the problem is the term "privatization." "It is extremely important that Democrats not be allowed to characterize GOP support of personal savings accounts as privatization," warned a message from the National Republican Congressional Committee obtained by *The Washington Post* last week. "It is an imprecise and misleading description.... Do not be complicit in Democratic demagoguery." A further hint of what's in store can be seen in a letter from House Ways and Means Committee Chairman Bill Thomas to *National Journal*. After the staid weekly—known for its scrupulous coverage of subcommittee hearings—described Thomas as supporting a "privatization bill," he wrote a furious letter attacking what he called "this distortion," a "demagogic falsehood," "irresponsible, unethical, and dishonest journalism," and "a partisan hit-job by a publication that purports to be an objective source of reporting on public policy issues." If history is any guide, such browbeating will eventually scare reporters out of using a term that happens to be entirely accurate: The purpose of individual accounts is to move the locus of responsibility for keeping retirees out of poverty *out* of the public sphere and *into* the private one. That's why libertarians like The Cato Institute advocate it. Indeed, just last spring Andrew Biggs, an analyst at Cato's project on Social Security privatization (who subsequently worked for President George W. Bush's Social Security Commission) wrote an op-ed in *The San Diego Union-Tribune* lambasting "opponents of Social Security privatization." Evidently that now includes the entire Republican Party.

DEMINT CONDITION: On Tuesday U.S. Trade Representative Robert Zoellick warned of a new "protectionism" stalking the land. The reason for his concern was the Senate's passage of the Dayton-Craig amendment, which would allow Congress to veto provisions in trade treaties that protect foreign "dumping" and "subsidies." Dayton-Craig, Zoellick announced in a statement following the Senate's action, would "cripple America's ability to open markets around the world." But if Zoellick truly cares about protectionism, he might consider calling a halt to the recent antics of the House Republican leadership. Just last week Dennis Hastert and company (with no public objection from the Bush administration) used an emergency-spending bill to dramatically rewrite Customs Service provisions for the import of Caribbean textiles. The measure would require all Caribbean textiles to use yarn dyed, printed, and finished in the United States. Why do GOP leaders suddenly care? Because they think the Customs change will help their South Carolina colleague Jim DeMint. DeMint, you see, represents a textile-manufacturing district that dislikes the vote he cast last December granting President Bush Trade Promotion Authority. More importantly, DeMint faces a tough primary challenge from a protectionist candidate funded by textile billionaire Roger Milliken—and he can use any favors his district can get. Unfortunately, the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EVEN THOUGH MY MONEY IS ALL IN TAX-SHELTERED ACCOUNTS IN THE CAYMAN ISLANDS.
THE SOLDIERS WHO PROTECT ME ARE STILL AMERICANS! -
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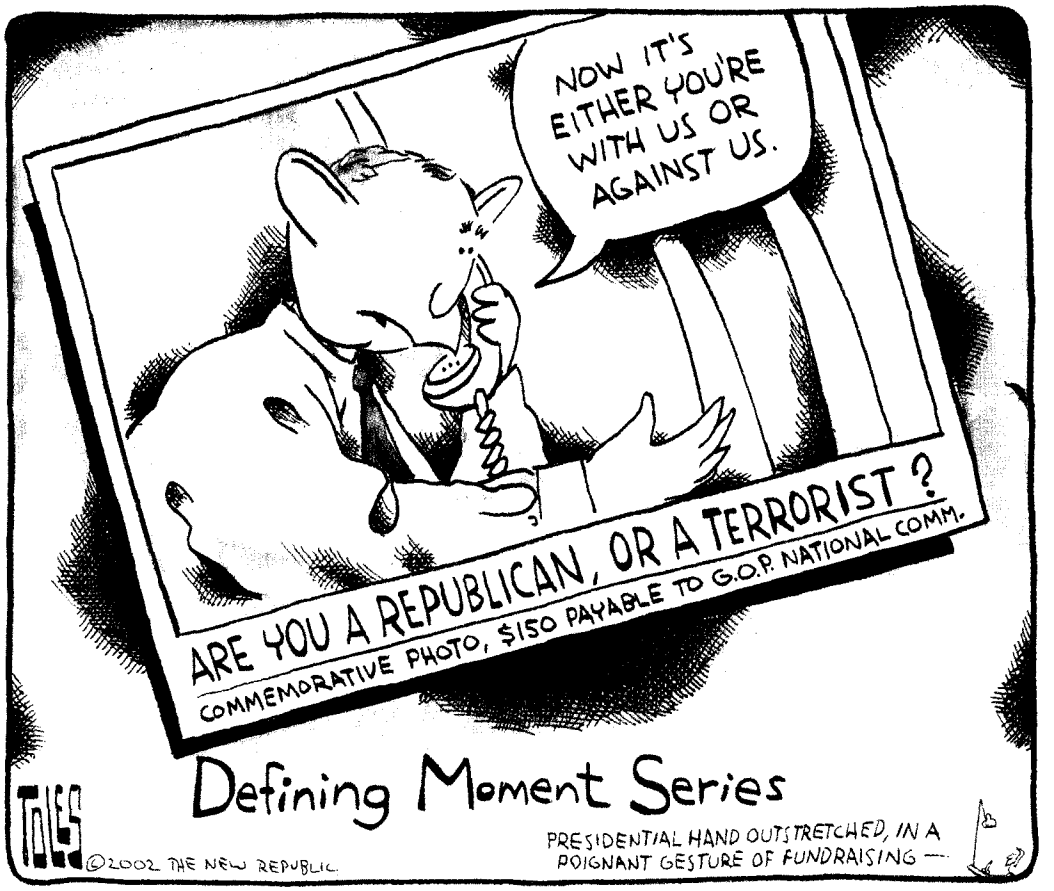
ramifications of the textiles amendment go far beyond parochial politics. According to *The Wall Street Journal*, the Customs reversal will likely cause Asian investors to pull back their investments in Caribbean textiles—a devastating blow to the impoverished region's economy. U.S. cotton growers could also lose a major market for their goods. And the reversal provides more fodder for those foreign critics who claim the United States embraces free trade only when it's in our narrow self-interest. For the sake of accuracy, however, that criticism should be refined: The United States embraces free trade only when it's in the narrow self-interest of House Republicans.

STICKS AND STONES: One might imagine that Robert Fisk is the forgiving type. After all, who can forget the *Independent* writer's famous column last December in which he magnanimously recounted the savage beating he received from Afghan refugees along the Afghanistan-Pakistan border? "I couldn't see for the blood pouring down my forehead and swamping my eyes. And even then I understood," Fisk wrote. "I couldn't blame them for what they were doing. In fact, if I were the Afghan refugees of Kila Abdullah . . . I would have done just the same to Robert Fisk. Or any other Westerner I could find." It turns out, however, that Fisk is a good deal less forgiving when it comes to verbal abuse. Consider his response to actor John Malkovich's recent appearance before the Cambridge Union, during which Malkovich blustered that he'd like to shoot Fisk, ostensibly for his vitriolic anti-Americanism. "How, I ask myself, did it come to this?" Fisk wrote in the *Independent* on May 14. "Slowly but surely, the hate has turned to incitement, the incitement into death threats, the walls of propriety and legality gradually pulled down so that a reporter can be abused, his family defamed . . . his life cheapened and made vulnerable by an actor who—without even saying why—says he wants to kill me." We would have imagined that such an idle threat—however reprehensible—would be substantially less harrowing than the brutal assault Fisk suffered in December. But apparently not. Fisk goes on to suggest that Malkovich might be refused entry to Britain until he apologizes for, or explains, his remarks. "As journalists, our lives are now forfeit to the internet haters," Fisk wrote. "If we want a quiet life, we will just have to toe the line, stop criticising Israel or America. Or just stop writing altogether." Hey, now there's an idea.

WITNESS FOR THE PROSECUTION: "Palestinian civilians—men, women and children—are being maimed and murdered by Israel in our own time, in our own world, many at this very moment. And the man behind this murder it is none other than Ariel Sharon. As a loyal and patriotic American, my heart grieves at the support given by American traitors to the world's worst mass murderer and war criminal Ariel Sharon. Sharon has killed, maimed and tortured more people than Osama Bin Laden could only fantasize about. In fact, I will present to you compelling evidence that Sharon and the Mossad aided and abetted the horrible terrorist attack on the World Trade Center. By supporting Sharon and his criminal government in Israel, American traitors have not only supported Sharon's crimes against the Palestinian people, and have become accomplices in mass murder and torture, but they directly aided terrorists who have inflicted terrorism on America. American traitors who support Israel have damaged our most vital interests in the world and caused Americans to be hated the world over." —David Duke, "A radio broadcast on 'the world's most dangerous terrorist,'" printed in the Saudi English-language daily *Arab News*, May 15 ■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On the Hill

Building Block

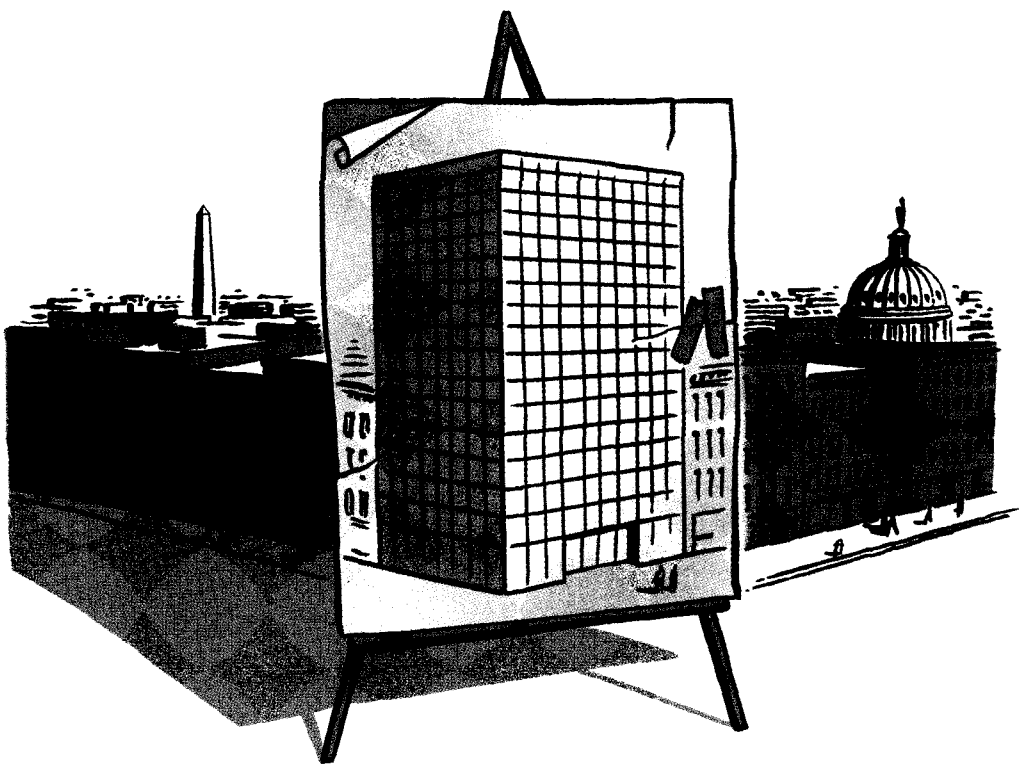
By MICHAEL CROWLEY

IF TERRY MCAULIFFE has been known for one thing since he became chairman of the Democratic National Committee (DNC), it is his obsession with a building. From the day he took over the DNC in February of last year, McAuliffe has pursued an audacious plan to build a shiny, spacious, new party headquarters—at an estimated cost of $32 million. Although the party's current offices are cramped and run-down, it's more than a question of aesthetics. The current building, McAuliffe argues, lacks the technological infrastructure—Internet wiring, computer servers, etc.—the Democrats need to compete with Republicans for small donors in the post-McCain-Feingold world. "We have to do this," McAuliffe told *The Wall Street Journal* back in December. House Minority Leader Richard Gephardt went further, saying that if the building isn't constructed, "we don't have a future." Party stars like Hillary Clinton pleaded with major donors to pony up huge soft-money donations before campaign finance reform took effect, and they delivered: Hollywood mogul Steve Bing coughed up $5 million for the project, and another entertainment mogul, Haim Saban—the man behind "Teenage Mutant Ninja Turtles"—wrote a check for $7 million, the largest single political contribution of all time.

But some Democrats were never won over by McAuliffe's plan. Many already disliked his bombastic style, and it was widely joked that McAuliffe's real obsession was with "building a monument to himself," as one unnamed party strategist recently told the *New York Post*. As congressional Democrats began focusing on this fall's elections, some grew even more suspicious. House members in particular worried aloud that McAuliffe's project would compete for money with the party's House and Senate campaign committees. McAuliffe insisted that the money was not coming from a zero-sum pool. His donors were going an extra mile to help the party build its infrastructure, he said. Still, as word of congressional frustration circulated around town, the headquarters project threatened to devolve into what one party activist calls "a fiasco."

Now Democratic sources tell TNR that McAuliffe may have found a way to avoid that "fiasco"—by abandoning his grand plan. Instead of building a new headquarters on C Street in Southwest Washington, D.C., the DNC will most likely pursue a more limited, and potentially cheaper, project: a complete renovation of the party's current headquarters on South Capitol Street, about three blocks from the U.S. Capitol Building. If all goes according to plan, the DNC will also purchase the adjacent National Democratic Club—a restaurant, bar, function hall, and all-purpose retreat for "members looking for stress relief from the pressures of the Hill," as its website says—and connect the two buildings with an elevated walkway. Furthermore, the Democratic Senatorial Campaign Committee (DSCC), which is currently housed in the DNC building, is considering moving to a separate building of its own. DNC Spokeswoman Jennifer Palmieri confirms that "a number of options are on the table, including rebuilding the headquarters at the existing site"—and that decision is due within two weeks. But several other Democrats say that in all likelihood McAuliffe's dream of a new home will never be more than an artist's rendition.

McAuliffe's rationale for a new headquarters was never hard to grasp. In contrast to the GOP's snappy, capacious digs a few blocks from Union Station, the DNC building is a grim and cramped outpost. It houses well over 100 staffers for the DNC, the DSCC, and the Democratic Congressional Campaign Committee—all of whom are doubled and tripled up in cluttered offices on the building's three floors. During



CHRISTOPHE VORLET

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Supporting the Drug War Supports Terrorists

David R. Henderson is a research fellow t the Hoover Institution and an economics professor at the Naval ostgraduate School in Monterey, California.

In recent months, the United States government spent $10 million of our tax dollars for its latest antidrug campaign. Its new pitch: if you buy illegal drugs, you're supporting terrorists because terrorists are intimately involved in the production, sale, and distribution of drugs. Guess what? I agree. People who buy illegal drugs do support terrorists. But here's what the government leaves out: **by making drugs illegal, the government is supporting terrorists even more.**

Have you ever wondered why terrorist groups get involved in the illegal drug market and not, for example, in the legal market for Coca-Cola, soap, or envelopes? The inaccurate answer that many people give is that the profits in dealing drugs are incredibly high, which attracts criminals. But profits are not incredibly high, once you adjust for risk: people in that trade have a nasty tendency to die or go to prison, and they insist on being compensated for that risk. Besides, if high profits were what attracted criminals, why don't those same high profits attract normal investors?

No. The reason terrorists get involved in illegal drugs is that they are criminals; once a market is made illegal, the high risk-adjusted prices of the illegal good reward those with "criminal skills." One such skill is the ability and willingness to murder people. That's why organized crime took over the liquor industry during prohibition—and quickly exited when prohibition ended.

Moreover, the United States government is effectively supporting left-wing terrorists in Colombia. How so? Say you're a Colombian coca producer trying to make a peso. Working against you are Colombia's military and police, pressured by U.S. government subsidies and threats and aided by U.S. military personnel and equipment. The first thing you want is protection, and the place to go for protection is to antigovernment people with guns who know how to fight. Two such groups are the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), both revolutionary leftists. You don't have to be a left-wing ideologue yourself to decide to pay them protection money, which is just what many coca farmers and cocaine producers do.

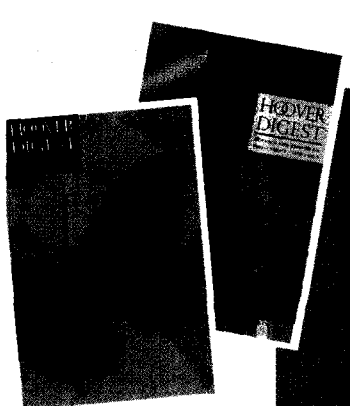
By one estimate, the revenue to FARC from drug-related sources is more than $600 million a year, which would make it the best-funded terrorist group in the world. Thus, **the war against drugs actually strengthens the position of the leftist insurgents.**

These insurgents have terrorized Colombian society. Between 1981 and 1986, for example, drug traffickers murdered more than fifty Colombian judges, including twelve supreme court justices. Colombian citizens are also terrorized: more than one million of them emigrated in the past five years. If a similar percent of Americans did the same, we would lose fourteen million citizens—almost half California's population.

A more informative ad line from the U.S. government would be: "When you support the drug war, you're supporting terrorists."

— David R. Henderson

Paid for by the Hoover Institution, Stanford University.



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the 2000 campaign the DNC's only conference room had to be converted to an office shared by four staffers. On one recent visit I saw a Democratic congressman making fund-raising phone calls from a small table only a few feet from the reception desk.

But even more important than the current building's meager size is its role in the party's dreaded "technology gap." The DNC's current digs lack the wiring needed to maintain the Internet and computer-database capabilities that McAuliffe says the party needs to harvest and catalogue small donors—who will be crucial once huge soft-money donations are outlawed later this year. The DNC's database of such donors totals about one million names, which sounds impressive until you realize that Republicans boast around *15 million*. And narrowing that gap will require good technology. Using e-mail and the Internet, both parties have begun to find new voters and donors by the thousands. A Democratic official recently told me that e-mail fund-raising costs work out to around one cent per dollar raised; direct mail can cost 50 cents per dollar raised.

A NEW BUILDING would have other advantages: Democrats would save nearly $2 million per year in mortgage payments on the current structure and rent for added office space in a nearby building. From the beginning McAuliffe understood that all these problems could be solved through a massive renovation of the current DNC building—but only if the Democratic Club would sell out. And back then, it wouldn't. (Now the Club's owners have had a change of heart—possibly after realizing their business might not have a future without the DNC next door.)

So McAuliffe announced his plan to build a new structure on C Street in Southwest Washington. But neither the good explanations nor McAuliffe's "scare video" and PowerPoint presentation—breaking down the GOP's fund-raising advantage and the DNC's rent and mortgage expenses—have entirely convinced Democratic members of Congress who want to use every bit of available cash to win the House and retain the Senate this November. (Not to mention the much-derided longer walk, over a freeway, that visits to the new site would entail.) And there is a history to this congressional anxiety. Many Hill Democrats still resent the way Bill Clinton used the DNC as his personal machine—installing loyalists who put the White House's political fortunes above those of rank-and-file Democrats. (And they haven't forgotten that it was Clinton—in a surprise move—who helped to install McAuliffe as DNC head last year.) In 1996 congressional Democrats accused the DNC of expending more energy boosting Clinton's popular vote, even in safe states, than in winning back the House from stumbling Republicans in swing districts. Clinton even openly commented that a Democratic Congress wasn't his responsibility. The next election was even worse: Crippled by debt and still trying to recover from fund-raising scandals, the DNC effectively sat out the 1998 campaign. And in 2000 the DNC focused overwhelmingly on electing Al Gore. As a senior Gephardt aide recently griped to *Roll Call*, "[W]hen Al Gore's people were in charge of the DNC they didn't help us do anything."

McAuliffe has worked to overcome this tension. Earlier this year, for instance, he devoted DNC funds—for the first time ever—to the party's national redistricting efforts. That effort may have kept the GOP from picking up eight to ten seats this November, a gain that would have made retaking the House impossible. And he has made good progress on a review of state parties' voter lists, lopping off or updating hundreds of thousands of addresses of voters who have died or moved and saving millions in wasted direct-mail expenses as a result.

But despite these efforts, the old wariness remains. Which is why, when McAuliffe was quoted in a recent newspaper article as saying that electing governors was "going to be our greatest win this year," alarm bells went off among party officials who feared Congress was once again getting short shrift. And when *Roll Call* published an article this month headlined "MCAULIFFE PUTS FOCUS ON 2002," one Democratic aide told me he laughed out loud.

People close to McAuliffe acknowledge that he felt pressure from agitated fellow Democrats over the headquarters. At an April meeting at the DNC, for instance, congressional barons like Charles Rangel and Edward Markey grilled him about his priorities. But DNC operatives insist the change in plan was not a response to griping, noting that a renovation was Plan A all along. And although the DNC won't provide details on what they expect a renovation to cost—or even how much money they have raised for the project—most Democrats assume that staying put will save money.

NOT EVERYONE WILL buy McAuliffe's line that he simply found a better deal. But that may not be a bad thing. "Give him some credit. He took a lot of crap for this—and he appears to be responding," says one Democratic aide. "This is a smart move." Others suggest McAuliffe realized that it would be prohibitively expensive for the DNC to sustain the overhead and staff for a big, new building once campaign finance reform takes effect. Indeed, party operatives now expect that the staffs of all the major party committees—largely paid with soft money—will be substantially whittled down by next year. "This was the first casualty of McCain-Feingold," said one.

But McAuliffe's saga is far from over. Some Democrats fear that the entire building project, whatever form it takes, may be endangered by the new reform law. The House stripped language from the campaign finance bill that had granted exemptions for McAuliffe's project. Now McAuliffe will be forced to spend all the soft money he's raised for the undertaking before the soft-money ban goes into effect on November 7. That will probably mean prepaying contractors for the entire project before a single hard hat is ever donned. But some Democratic activists worry that even prepayment could be deemed illegal if it means such a soft-money-funded activity carries over into the McCain-Feingold era. Palmieri dismisses such concerns as "a nuisance." But other Democrats think McAuliffe may have to go to court to make his project work. In other words, this may only be the beginning. ■

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Jerusalem Dispatch

Loss Leader

By Yossi Klein Halevi

Something happens to Likudniks when they're gathered together under klieg lights, with old campaign jingles playing on the loudspeakers and a giant photograph of the founder of maximalist Zionism, Ze'ev Jabotinsky, sternly watching from behind the podium for signs of ideological deviance. Before they quite realize it, rational members of an essentially rational party find themselves waving little plastic flags, placing bumper stickers like bandanas around their foreheads, and publicly humiliating the man who represents their best chance for remaining in power.

Even by the standards of Israeli politics, it was an astonishing display of self-destructiveness. Ariel Sharon is at the peak of his popularity, and polls show him winning the next election, scheduled for October 2003, by another landslide. Indeed, thanks to Sharon's tough military stance and centrist political turn, the Likud was poised to inherit the mantle of the old Labor Party—hard-line on security but pragmatic on territory, a combination that has always won strong public support. Yet the delegates to last Sunday's Likud Central Committee meeting in Tel Aviv chose this of all moments to challenge Sharon and reaffirm an outmoded ideology its own leaders have tacitly repudiated. As Avi Ben-Zikri, a Central Committee member and Sharon supporter from the working-class town of Dimona, bemoaned, "We always know how to sabotage ourselves when we're in power. We sat for so long in opposition that we got used to it."

The Likud should have long since gotten used to power. After enduring the humiliation of permanent opposition during the first 29 years of Israeli statehood, the right has held the prime minister's office for most of the last two decades. Yet for Likudniks, power has always disappointed. In office, all their icons have betrayed them: Menachem Begin returned Sinai and uprooted its settlements; Benjamin Netanyahu surrendered most of Hebron and signed the Wye Agreement with Yasir Arafat; and now Sharon has accepted the final heresy and made peace with the idea of a Palestinian state. And so the party's true believers craved one of their periodic rituals of purification. This time they repented at Sharon's expense.

Ironically, most delegates I interviewed were relatively nondogmatic. While their public vote vetoed a Palestinian state under any circumstances, in private they were far more equivocal. Most agreed with Netanyahu that the Palestinian Authority (P.A.) was not reformable and should be destroyed, but they also agreed with Sharon that some form of Palestinian statehood between the river and the sea was inevitable. "We're burying our dead, and you bring a decision for a Palestinian state?" said Yitzhak Ben-Gad, a former Israeli consul-general in Chicago, who was handing out leaflets explaining the dangers of a sovereign Palestine. But, he added, "In the future? Without Arafat, and with a leadership that will prove it's for peace? Let's see." And Meshulem Nissim, a veteran of the prestate underground Irgun, who cheered the hard-line speakers, said to me in a quiet aside, "Between us, I don't mind if there will be a democratic Palestinian state. But I don't believe there will ever be an Arab democracy."

The ambivalence reflects the impasse that defines contemporary Israeli politics: The left has convinced Israelis a Palestinian state is inevitable; the right has convinced them it can't be led by Arafat. But it also says something about the nature of last Sunday's vote, which was less a reasoned policy position than a message—to the United States, to the Europeans, to the United Nations—that the Palestinians don't have a monopoly on rage. "Let Mr. Bush understand that there's a limit to how much he can pressure," said Ben-Gad.

There are good reasons to reevaluate the desirability of a Palestinian state. A state on the West Bank and the Gaza Strip, with Israel wedged in the middle, is a scenario for permanent instability. But a Palestinian state is hardly imminent, and it won't emerge as long as Arafat is in charge. Indeed, the vote's real significance wasn't its blow to Palestinian aspirations, but to Sharon's aspirations—in particular, his commitment to national unity and his coalition government with Labor. And the vote, initiated by a transparently opportunistic Netanyahu, was a reminder why the Israeli public repudiated him as prime minister in 1999—not for his policies but for his character.

By contrast, Sharon—himself no stranger to political manipulations—has revealed himself as a statesman. Repeatedly since his election as prime minister in February 2001, he has put his coalition above ideological purity. He has given Labor effective veto power over the extent of military reprisals against the P.A., suspending a planned offensive into Gaza last week in part because Labor balked. He maddened his former right-wing admirers by repeatedly delaying the protracted military operation that finally occurred last month; his restraint following the terrorist atrocity at a Tel Aviv discotheque last June was especially galling. But he held back until he was certain Labor would be at his side—that the troops would be commanded by Defense Minister and Labor Party leader Benjamin Ben-Eliezer and defended on CNN by his Laborite foreign minister, Shimon Peres. Thanks to Sharon's yearlong policy of relative restraint, the siege against Arafat in Ramallah ended very differently than the siege against Arafat in Beirut in 1982: This time it didn't rupture the nation.

But Sharon has paid a price within the Likud. The world may have forgotten his restraint after the discotheque attack, but the Likudniks haven't. "Would the French have passed over an attack that killed twenty-three of their children and left dozens more without arms and legs?" demanded one delegate. Added another: "When Sharon didn't respond to the murder of Jews, Menachem Begin turned in his grave." While Sharon can ignore his party's vote and continue to determine his own policy, he's been put on notice that he may well lose to Netanyahu in a future Likud primary.

With the Likud vote, pressure will now grow within Labor to leave the unity government. Ben-Eliezer, a staunch supporter of the unity government, preempted Labor critics by declaring that the Likud vote necessitated a rethinking of

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the partnership. Labor voices further left are calling for dismantling the government now.

The forces of dissipation that the unity government has managed to contain are stirring again. The night before the Likud convention, the left staged its first mass rally since the Palestinian war began. Both events occurred within a few blocks of each other and were informed by the same sensibility: ideology over reality. Never mind that left-wing protests reinforce Arafat's efforts to undermine Israeli unity and resolve; never mind that the Likud is projecting a rejectionist image precisely as the Saudi peace plan is winning global approval. All that matters are the rituals of purification.

The Israeli mainstream will belong to any party that presents a pragmatic platform offering a way out of both Oslo and the occupation. Until the Central Committee meeting, that party seemed to be Sharon's Likud; now it has forfeited its role. The result is that Israel no longer has a governing party. ■

Uganda v. condoms.

Sex Change

By ARTHUR ALLEN

IN 1986, NOT long after his guerrilla force seized power in Uganda, Yoweri Museveni sent 60 top officers from his bush army to Cuba for training. Several months later Fidel Castro approached Museveni at a conference in Zimbabwe with a staggering bit of news: Medical exams in Cuba had revealed that 18 of the 60 officers were HIV-positive. "Brother," Castro told Museveni, according to the version of the story the Ugandan leader has shared with many visitors, "you have a problem."

It was a terrible understatement. Years of war, displacement, pillage, and rape had entrenched HIV in Uganda as early as the late 1970s. Perhaps because his army was threatened, Museveni took Castro's warning to heart. Within one year he was leading a nationwide mobilization against AIDS that drew in bishops, imams, and public health experts, as well as thousands of small community groups nationwide. The program would become known as ABC, for "Abstain, Be Faithful, or wear a Condom"—very much in order of emphasis.

"Ugandans really never took to condoms," says Dr. Vinand Nantulya, an infectious disease specialist who helped advise Museveni—they are high school chums from the southern Ugandan town of Mbarara—and who currently co-directs a Harvard School of Public Health study of the Ugandan experience. Instead the message, promoted everywhere from Museveni's speeches to elementary school curricula, was that children should abstain from sex until marriage and then practice "zero grazing"—i.e., fidelity. "You tether your animal around a tree, and it can only feed where it is tethered," Nantulya says with a chuckle. Billboards with this message are omnipresent in Uganda.

By last year the number of pregnant Ugandan women testing positive for HIV antibodies had fallen from 21.2 percent at the height of the epidemic in 1991 to 6.2 percent. By contrast, in neighboring Kenya the rate is roughly 15 percent; in Zimbabwe it stands at 32 percent; and in Botswana fully 38 percent of mothers-to-be are HIV-positive—with rates continuing to rise in each country. And since Uganda's success is nearly unique in sub-Saharan Africa, more and more people are asking how it can be duplicated. Clearly, Museveni's strong leadership was key. (Senegal, a country with equally strong anti-HIV leadership, has also done well against the plague: HIV rates there have remained low.) But as researchers have begun picking apart the reasons for Uganda's success, controversy has dogged their work, perhaps because most of them agree on one troublesome fact: Condoms had relatively little to do with it. By far the most striking epidemiological feature of Uganda's success is the drastic reduction in multiple partnering by Ugandan adults. Among women aged 15 and above, the number reporting multiple sexual partners fell from 18.4 percent in 1989 to 8.1 percent in 1995 to 2.5 percent in 2000, according to Nantulya's colleague in the Harvard study, anthropologist Edward C. Green. Smaller but similar declines in male promiscuity were reported as well. At the same time, while the average Ugandan girl becomes sexually active at the age of 17—about one year older than was the case a decade ago—the rate of marriage among girls aged 15 to 19 is 76 percent, compared with 37 percent in neighboring Kenya.

In short, Uganda's experience suggests that abstinence and fidelity may be the keys to whipping AIDS in Africa. It's an idea with dramatic implications. According to a study presented to the United States Agency for International Development (USAID) this February by former Centers for Disease Control and Prevention and World Health Organization (WHO) epidemiologist Rand Stoneburner, Uganda's prevention model has the potential to reduce the AIDS rate in Africa's worst-stricken countries by 80 percent—the same level of efficacy one might expect from an HIV vaccine. Put another way, if South Africa had employed Uganda's approach from the moment the virus began showing up there roughly one decade ago, its epidemic "would have turned the corner in the year 2000 and started going down," says Stoneburner, who is advising South Africa's leading prevention program. "According to the modeling we've done, 3.2 million lives would be saved between 2000 and 2010."

The implications are not only epidemiological; they're political as well. During a U.N. General Assembly Children's Summit last week, Ugandan First Lady Janet Museveni spoke out against condom use at a forum sponsored by the religious right. Meanwhile, George W. Bush hosted her husband at the White House, part of the president's apparent effort to make abstinence promotion a centerpiece of America's development efforts in the Third World. "It's fortuitous common ground," says Jeff Spieler, chief of the research division in USAID's population office. "We're not really influenced by the Bush administration's line on abstinence. It just happens to be where the evidence is pointing." Adds Green: "I'm a flaming liberal, don't go to church, never voted for a Republican in

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my life. But if you say the things I've said . . . the religious people love you and the people in public health get suspicious."

To be sure, there are populations in which condom promotion has produced impressive results. In Thailand, where prostitutes are strongly urged to use condoms, an estimated 30,000 people were infected with HIV last year, down from 140,000 in 1991. But that success is largely due to the fact that when Thailand began its prevention program, HIV was generally limited to an extremely high-risk pool: gays and prostitutes. By the time prevention programs had begun in most of Africa, by contrast, the epidemic had already entered the general population. And while condoms work well when used correctly and consistently—as one might expect they would be in the routinized world of prostitution—they work less well, if at all, in countering epidemics. (A recent study in Uganda led by Ronald Gray, a physician-researcher at Johns Hopkins University, confirmed that while consistent condom use worked in slowing HIV transmission, inconsistent use had no effect whatsoever.)

The experiences of Botswana and Zimbabwe provide further evidence that condom use alone is not the answer. The two nations rank first and second worldwide, respectively, in HIV prevalence. Yet by African standards, they are relatively modern states in which condoms are freely available. In a 1999 survey, more than 70 percent of adult men in Zimbabwe said they had used condoms in their last high-risk sex act, making Zimbabwe possibly the most condom-friendly country outside Asia. And while a leading USAID contractor, Population Services International (PSI), has marketed condoms heavily in Zimbabwe and Botswana, they haven't stemmed the AIDS epidemic. "Both countries are basket cases," says Green, who is writing a book about failures and successes in the fight against AIDS. "Condoms are marketed as if they are one hundred percent safe; but there is leakage, breakage, slippage, improper usage.... If condoms fail or aren't used correctly or consistently just twenty percent of the time, if you don't change your behavior and keep running around, it may be just a matter of time before you'll get infected."

All of which helps explain why even PSI—the McDonald's of the family-planning world, with six billion condoms sold worldwide—has been moving into the "A" and "B" elements of prevention as well. Currently the materials available on PSI's website stress the distribution and marketing of condoms. Recently, however, PSI joined a USAID-funded study with the Harvard School of Public Health and others to determine how Uganda's ABC program worked, with an eye toward including more abstinence and zero grazing in its anti-HIV campaigns. "If everyone used condoms, there wouldn't be transmission of AIDS," says John Berman, who heads PSI's AIDS program. "But we probably need to ramp up our investment in behavioral changes generally."

Researchers working in Uganda have suspected that abstinence and fidelity were contributing to declining infection rates for close to a decade. In 1993 Green wrote in a report for World Learning Inc., a USAID contractor: "If a high AIDS-prevalence country like Uganda shows a significant decline in STDs [sexually transmitted diseases] in the absence of a male condom prevalence rate over 5 [percent], it might suggest that other types of behavior change (premarital chastity, 'zero grazing' or marital fidelity, abstinence, non-penetrative and other safer sexual practices) can significantly affect STD incidence if not HIV incidence." Stoneburner, then a WHO official, came to a similar conclusion two years later. But their message didn't exactly catch fire. And while it is difficult to separate political differences from scientific ones, both Green and Stoneburner complain of difficulty publishing studies that point to the importance of fidelity and abstinence. In 1998 Green wrote an article about the apparent success of what he calls "primary behavior change"—more abstinence and fewer partners, as opposed to condom use and STD treatment—in slowing HIV transmission in the Dominican Republic, only to have it turned down by four academic journals. (He eventually published it as a brief letter in the journal *Sexually Transmitted Infections*.)

One prominent example of the public health establishment's preference for condoms over abstinence and fidelity in the 1990s was AIDSCAP, a large USAID-funded "Behavior Change Communication" program run by Family Health International from 1991 to 1997. AIDSCAP simultaneously offered STD treatment and HIV testing in African clinics. But its prevention guidelines for health workers mainly encouraged them to talk about condom use and treatment of other STDs that make people more vulnerable to HIV. "It was considered too moralistic to stress abstinence and fidelity," recalls David Wilson, a leading USAID consultant from the University of Zimbabwe in Harare.

Officials at USAID say fidelity and abstinence—"delayed sexual debut" and "partner reduction," in public health speak—have always been part of their message. But Paul R. DeLay, acting director of USAID's Office of HIV-AIDS, acknowledges that "there was a tendency to focus on what we were most familiar with: condoms. Other parts weren't ignored, but were they applied to the extent they could have been?"

Today, however, there is mounting evidence that Uganda's lesson is catching on. Green notes that USAID has been more receptive to his and Stoneburner's research since Daniel Halperin—an academic medical anthropologist from outside the Beltway—joined USAID's office of HIV-AIDS last year. That office—which, like the rest of the government, has traditionally been hobbled in its support of religious groups by the prohibition on U.S. funding of activities that could be construed as proselytizing—is likely to boost assistance to a $1 million pilot project, begun last year, to provide small grants to African faith-based and community groups that primarily promote abstinence and fidelity. (So far, most of the grants have been for treatment rather than prevention.)

How such efforts fare may go a long way toward determining the future success of AIDS prevention in Africa. "What happened in Uganda," says Jim Shelton, senior medical scientist in USAID's Office of Population, "is that a lot of forces at one time were promoting more responsible sexual behavior, so you get to a social norm, a tipping point kind of thing. At some point all these messages, plus seeing people dying, get people to change their sexual behavior.... And I guess this has reinforced and awakened us to the virtue of emphasizing more the A and B in the ABC strategy." For the millions infected with HIV in the countries to Uganda's South and East, the awakening hasn't come a moment too soon. ■

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Alberto Gonzales's high-wire act.

Friend of the Court

By Ryan Lizza

One weekend in early May, Alberto Gonzales, President Bush's White House counsel and longtime confidant, found himself motoring out to a Ritz-Carlton in the Virginia suburbs to hang out with creationists and Christian reconstructionists. Gonzales spoke before some 500 members of the Council for National Policy (CNP), an umbrella group of social conservatives that includes major figures such as James Dobson and Gary Bauer, as well as some of the fringiest elements of the right—including Henry Morris, who has devoted his career to the proposition that evolution is a myth; and R.J. Rushdoony, a reconstructionist who advocates replacing the American legal system with the injunctions of the Old Testament. But several of the attendees say they were disappointed by Gonzales, who gave a humdrum speech about the daily life of the White House counsel and offered little ideological red meat. Even during the question-and-answer session, when he was peppered with questions about various social issues, Gonzales remained cautious, betraying little about his personal beliefs—and doing little to win over a skeptical audience. As one attendee put it: "It was not a conservative being cautious; it was a judicial liberal being cautious."

It's not hard to figure out why Gonzales shows up at these conservative-themed events. Everyone assumes he's on Bush's shortlist for the next vacancy on the Supreme Court, and appearances like his speech before the CNP are a way to build conservative support for his potential nomination. And there's a reason conservatives need convincing: Everything in Gonzales's record prior to his arrival in Washington suggests he is a moderate jurist uncomfortable and unfamiliar with the kind of conservative judicial activism identified with Justices Antonin Scalia and Clarence Thomas. And that worries Washington conservatives who fear a replay of 1990, when Bush père nominated David Souter—another state supreme court judge with an ambiguous record—to the high court, only to have him become a stalwart of its liberal minority.

But if "No More Souters!" has become a rallying cry among conservatives, Democrats are equally determined not to allow another Scalia, an Italian-American right-winger who won confirmation in part because Democrats didn't want to be seen as standing in the way of an ethnic milestone. And if Gonzales's record in Texas causes him problems on the right, his conservative stances as White House counsel—on judicial picks, on terrorism, on administration secrecy—raise red flags for Senate Democrats and their allies on the left. Alberto Gonzales, in other words, has the misfortune to be a potential Supreme Court pick at a time when the window of political acceptability—between being too liberal to be nominated and too conservative to be confirmed—is narrower than ever before. Michael Farris, a home-schooling advocate and influential social conservative, summarizes the dilemma: "Until Judge Gonzales starts saying some things publicly like, 'I believe the president is right both politically and constitutionally on abortion, and I'm happy to defend him,' he's not going to be rehabilitated. The problem is that if you start doing that you become unacceptable to the left." No wonder Gonzales addressed the CNP. And no wonder he didn't win them over.

As a justice for two years on the Texas Supreme Court, Gonzales has a paper trail. And it suggests moderation and deference—a throwback to the kind of judicial restraint Republicans used to advocate before they fell in love with conservative judicial activism. David Keltner, a

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friend of Gonzales's from Texas (and a Democrat) argues: "The activist judges we have in the U.S. are conservatives and have been for the last five to ten years. Al Gonzales went on a court that had some of that, and he was not that way. He truly did not legislate." Gonzales joined the court in January 1999 and resigned in December 2000 to prepare to move to Washington. During those two years he joined several other Bush appointees to form what the liberal group Texas Watch dubbed the "New Guard"—a block of moderate justices who turned the court away from the sharp conservative tilt that characterized it in the late 1980s and early 1990s. In 2000 Texas Watch noted that, led by a justice named Deborah Hankinson, the "'New Guard' increasingly is challenging the intellectual leadership of conservative activist [Justice] Nathan Hecht and his allies"—including Priscilla Owen, a judge Bush recently nominated to the federal bench and who has been targeted for defeat by liberals. It's hardly surprising that Gonzales usually agreed with his fellow Bush appointees on the Texas court: As the governor's general counsel from 1995 to 1997, he helped pick them.

Gonzales's writings during his two years on the court—14 majority opinions, five concurring opinions, and two dissents—display a fetish for legislative intent and a reverence for Supreme Court precedent, one reason social conservatives fear he would be too timid to vote to overturn *Roe* v. *Wade*. "He was a very workmanlike judge who was not likely to rule on either extreme," says a top legal conservative who has had conversations with Gonzales and is not encouraged by his potential nomination to the high court. "The only philosophy of judging you can extract from his opinions is he's the quintessential judge who goes in and tries to figure out the law and applies it."

THE TEXAS SUPREME COURT has long been a bastion of pro-business jurisprudence; and Gonzales, who spent 13 years as a corporate lawyer in Houston, came to Bush's staff with a reputation as a pro-business Republican. But here, too, his record on the court was centrist. In large part, the moderate trend on the Texas court that observers noted in the late '90s involved cases that pitted consumers against corporations. In such cases Gonzales voted with the majority in 47 decisions that favored individuals over business defendants, while signing on to 38 majority opinions that favored businesses over individuals. In one opinion he argued for the majority that a person exposed to asbestos who wins a claim against a company is not precluded from suing again if he develops a separate asbestos-related disease. In another case—in which Owen and two other conservatives on the court dissented sharply—Gonzales's decision in favor of an injured motorist suing the Texas Department of Transportation created a whole new cause of action for plaintiffs' lawyers.

As someone who arrived on the Texas bench amid speculation that it was a stop on the way to the Supreme Court, Gonzales's opinions sometimes read like those of a man who knows his words will be carefully scrutinized. In a case against General Motors, for example, he wrote an opinion finding the company negligent—but not grossly negligent, as a jury had. This cautious centrism is also present in one of the more significant opinions he wrote. In *Osterberg* v. *Peca* the Texas court wrestled with some of the same First Amendment issues likely to arise out of the McCain-Feingold campaign finance legislation recently signed by Bush (and challenged by the Republican National Committee). The case dealt with the constitutionality of a state election law that required individuals to disclose expenditures made on behalf of a candidate; the court found that the disclosure requirement being challenged didn't violate the First Amendment. Gonzales agreed with the majority on that narrow issue but felt it necessary to add in a concurrence that he worried some "disclosure requirements can be so onerous that they violate the First Amendment"—a matter now at the heart of the McCain-Feingold law. In other words, Gonzales gave himself the wiggle room he'd need if the ruling came back to haunt him in a confirmation fight.

BUT THE MOST well-known opinion Gonzales wrote on the court is the one that has most alienated him from conservatives. A new law signed by then-Governor Bush in 1999 prevented a minor from seeking an abortion without parental notification—unless a judge found her to be "mature and sufficiently well informed." A series of these judicial-bypass requests began moving toward the Texas Supreme Court in 2000. In the first of them, known as *Jane Doe 1*, Gonzales joined the majority in overturning a lower court's ruling and allowing a 17-year-old, who told the court her parents did not "believe in abortion," to have the procedure without notifying her parents. The decision fractured the court six to three and precipitated an angry volley of opinions. "It was just incredibly tense around here," says one court official. Justice Owen wrote in a dissent that the majority's "actions raise disturbing questions about its commitment to the rule of law and to the process that is fundamental to the public's trust in the judiciary." She further accused the court of "manufactur[ing] reasons to justify its action" and concluded her dissent by thundering that the majority "has acted irresponsibly in this case ... has disregarded the law and has trampled the process on which the legitimacy of our law depends." Justice Hecht added that Gonzales and his ideological brethren "adamantly refuse to listen to all reason" because they "have resolved to impair the Legislature's purposes in passing the Parental Notification Act, which were to reduce teenage abortions and increase parental involvement in their children's decisions." He added that the court's ruling "trivializes the decision to have an abortion."

Gonzales's concurring opinion, by contrast, was a paean to legislative intent and—like so many of his other opinions—a careful effort to achieve a delicate political balance. Hinting that he may be pro-life, he wrote: "While the ramifications of such a law and the results of the Court's decision may be personally troubling to me as a parent, it is my obligation as a judge to impartially apply the laws of this state without imposing my moral view on the decisions of the Legislature." Owen's and Hecht's dissents, he said, were "unconscionable act[s] of judicial activism."

Gonzales's record on the Texas Supreme Court, in short, is

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not that of a Scalia-style conservative. And Gonzales's friends from the period confirm that the record honestly reflected his judicial philosophy. When he was leaving his position on the court to join Bush in Washington, Gonzales had a short, soul-searching conversation with a friend at the courthouse about his impending journey. Gonzales's friend was concerned about the rightward ideological turn the new Bush administration was taking. "When he was leaving, I was worried about the obligations this administration will pay to the right wing," says the friend. But Gonzales, he says, reassured him by asserting, "I'm a moderate, and I believe the governor is a moderate."

BUT JUST AS the moderate governorship of George W. Bush has metamorphosed into an extremely conservative presidency, so too has Gonzales's moderate judicial philosophy been replaced by an aggressive partisanship as White House counsel. Gonzales has stocked his office with former Scalia and Thomas clerks and veterans of the last decade's most contentious political fights—including Timothy Flanigan, a lawyer who helped write Bush's Supreme Court brief during the Florida recount; Brett Kavanaugh, who wrote part of the Starr report; and H. Christopher Bartolomucci, a Senate Whitewater investigation lawyer. Gonzales's early decision to no longer allow the American Bar Association to vet judicial nominees immediately won him cachet on the right, which has loathed the legal group ever since four members of its review board rated Robert Bork as "not qualified" in 1987. "It's the sort of bogeyman which one gets a lot of mileage for banishing," says one activist. "That act earned him a tremendous amount of support among conservatives."

In contrast with his record in Texas, Gonzales's new office has recommended the most conservative batch of jurists of any recent administration. One of the most telling picks is his old sparring partner on the Texas Court, Priscilla Owen, whom Bush nominated to the Fifth Circuit Court of Appeals one year ago. The administration had actually interviewed Deborah Hankinson—Gonzales's old ally and the leader of the Texas New Guard—for the job, but her nomination was scuttled. "She read the writing on the wall," says a person close to her. "She wasn't a right winger ... wasn't conservative enough. She felt the right wing has grabbed Bush and is off and running." Gonzales picked Owen for the spot instead.

Gonzales has also taken political ownership of a host of other conservative issues. He wrote and publicly defended Bush's executive order on military tribunals. He advised Bush not to grant prisoner-of-war status to Al Qaeda prisoners at Guantanamo Bay. His office has also led a multifront campaign to expand the authority of the executive branch and insulate the administration from records requests, whether they come from Congress, the General Accounting Office, or presidential scholars.

But establishing these conservative bona fides has come at a cost. Democrats on the Senate Judiciary Committee bitterly complain about Gonzales's unwillingness to consult with them over judges. They warn there will be payback if he's ever nominated to the Supreme Court and have already developed several potential lines of attack. Some Democrats argue that Gonzales is a lightweight being steamrolled by a right-wing staff. "Some think he's out of his league," says a top Judiciary Committee staffer, noting that Gonzales's deputy, Flanigan, was the lead White House negotiator on the anti-terrorism bill. Others make essentially the opposite case: that Gonzales has not only played a critical role in Bush's most conservative and controversial policies, but also that he has been the key figure in shielding the decision-making process that produced them from public review.

Finally there is Enron, the Democratic gift that keeps on giving. Gonzales spent 13 years as a lawyer with Houston-based Vinson & Elkins (V & E), now best known as Enron's law firm. He worked in the business, real estate, energy section—known colloquially as "the deals group"—and one of his colleagues there was Joseph Dilg, for one decade the firm's chief liaison to Enron. Dilg is a main defendant in at least one massive Enron-related lawsuit charging that V & E conducted and participated in an illegal enterprise. *National Journal* has reported that Gonzales had an attorney-client relationship with Enron, but he has never explained exactly what it was. While at V & E, Gonzales also got to know Kenneth Lay: The two worked together on a 1990 economic summit in Houston and on the 1992 Republican convention. And when Gonzales ran for reelection to the Texas Supreme Court (Texas Supreme Court justices are initially appointed but must go before the voters to earn additional terms), he took $15,000 in campaign donations from the political action committees of Enron and V & E. Perhaps most questionable is that despite these connections, Gonzales has declined to recuse himself from the response to the various Enron-related inquiries and investigations currently embroiling the White House, including Senator Joseph Lieberman's widening probe.

ULTIMATELY, THOUGH, MUCH of the Democratic brief against Gonzales is weak. Gonzales left V & E in 1995—before the firm appears to have started most of its suspect work for Enron. And the conflicting nature of the other Democratic lines of attack—Gonzales the conservative mastermind, Gonzales the moderate dupe—is a pretty clear indication that neither characterization is a slam dunk.

The Republican case against Gonzales, however, is another matter. Many conservatives have not been reassured by his rightward lurch over the past year and half. Indeed, they often make their own version of the "moderate controlled by conservatives" argument—suggesting that in his current post Gonzales is simply hemmed in by the presence of so many conservative staffers and the expectation of loyalty to administration policies. "I think that Justice Gonzales was the real Al Gonzales, and White House Counsel Gonzales is the loyal Bush administration aide," says one prominent conservative. Adds another, "I have no reason to believe that he has changed his views from when he was on the court."

For many on the right, his opinion in *Jane Doe 1* is all they know about Gonzales—and all they really need to know. "I've been told he voted the wrong way on a parental-

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notification bill on abortion," says Farris. "That would make him absolutely unacceptable to the pro-life community." Other conservatives worry about Gonzales's views on affirmative action, an issue the Supreme Court is likely to tackle in the next few years. Gonzales has said, for example, that Bush is building an administration that "looks like America"—the same phrase famously used by Bill Clinton. Roger Clegg, an affirmative action opponent at the Center for Equal Opportunity, had a heated exchange with Gonzales on race at a Federalist Society event in Washington not long ago. The administration is "not making appointments based strictly on the merits," says Clegg. "They are being driven by racial and ethnic decisions. That's wrong, and that's objectionable. To the extent he really believes that's an OK thing to do, that's troubling as a potential Supreme Court justice." Adds Ed Bloom of the conservative American Civil Rights Institute, "We're all very nervous about Al Gonzales and how he sees the issue of race and public policy." Bloom, who knows Gonzales from Texas, saw him speak recently at a monthly meeting of the Federalist Society held at Tony Cheng's Mongolian Restaurant in Washington. Gonzales, says Bloom, believes "that a person's race or ethnicity does have a bearing on who that person is, and that is anathema to this movement. He has bought into the bedrock argument that the other side makes."

The irony, of course, is that Bush believes the same thing. Indeed, when Bush first appointed Gonzales to the Texas Supreme Court, a reporter asked the then-governor if race had played a role in his decision. "Of course it mattered what his ethnicity is," Bush replied. And more broadly, the question conservatives now pose about the "real" Alberto Gonzales—is he the moderate he was in Texas or the conservative he has been in Washington?—could well be asked about Bush himself. Bush, too, one might argue, has been surrounded since taking office by a permanent Beltway conservative establishment that has made his presidency more ideological than his governorship. Conservatives' assessment of what Gonzales would do if given the independence of a Supreme Court seat is, in some ways then, an assessment of what Bush himself might do—were conservatives not there to keep him in line.

And it's precisely because of those doubts that many on the right would prefer to see Bush choose someone like Miguel Estrada, the ideologically committed right-winger currently up for the D.C. Circuit. Estrada, they figure, could be confirmed for the same reason as Gonzales: Democrats wouldn't dare torpedo the first Hispanic nominee. And he'd be a reliable Thomas-Scalia ally on the Court.

But Estrada doesn't have Gonzales's close relationship to Bush—"more like a brother than a lawyer," says a friend of both men. And most close Bush-watchers assume that the president, if given his druthers, favors loyalty over ideological purity. Unlike Gonzales, Estrada has yet to spend time on the bench—a lack of experience that could make confirmation more difficult. Moreover, Gonzales has one other advantage over Estrada and other potential rivals: As White House counsel, he'll be the one leading the search for a new justice when a vacancy occurs. And the last time Bush put someone else in charge of this sort of hunt, Dick Cheney ended up picking himself. ■

Against ethnic panic.

Hitler Is Dead

By LEON WIESELTIER

HAS HISTORY EVER toyed so wantonly with a people as history toyed with the Jews in the 1940s? It was a decade of ashes and honey; a decade so battering and so emboldening that it tested the capacity of those who experienced it to hold a stable view of the world, to hold a belief in the world. When the light finally shone from Zion, it illuminated also a smoldering national ruin; and after such darkness, pessimism must have seemed like common sense, and a holy anger like the merest inference from life. But it was in the midst of that turbulence, in 1948, that the scholar and man of letters Simon Rawidowicz published a great retort to pessimism, a wise and learned essay called "*Am Ha-Holekh Va-Met*," "The Ever-Dying People." "The world has many images of Israel," Rawidowicz instructed, "but Israel has only one image of itself: that of an expiring people, forever on the verge of ceasing to be.... He who studies Jewish history will readily discover that there was hardly a generation in the Diaspora period which did not consider itself the final link in Israel's chain. Each always saw before it the abyss ready to swallow it up.... Often it seems as if the overwhelming majority of our people go about driven by the panic of being the last."

In its apocalyptic season, such an observation was out of season. In recent weeks I have thought often of Rawidowicz's mordant attempt to calm his brethren, to ease them, affectionately and by the improvement of their historical sense, out of their tradition of panic. For there is a Jewish panic now. The savagery of the Israeli-Palestinian conflict, the virulent anti-Zionism and anti-Semitism in the Arab world, the rise in anti-Jewish words and deeds in Europe: All this has left many Jews speculating morbidly about being the last Jews. And the Jews of the United States significantly exceed the Jews of Israel in this morbidity. The community is sunk in excitability, in the imagination of disaster. There is a loss of

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intellectual control. Death is at every Jewish door. Fear is wild. Reason is derailed. Anxiety is the supreme proof of authenticity. Imprecise and inflammatory analogies abound. Holocaust imagery is everywhere.

In the discussion of the atrocities that the Palestinians have committed against the Israelis, the subject is Hitler. "I am convinced that we are facing a threat as great, if not greater, to the safety and security of the Jewish people than we faced in the '30s," the head of a national Jewish organization announced in February. In the *New York Observer* in April, Ron Rosenbaum warned of "the Second Holocaust": "It's a phrase we may have to begin thinking about. A possibility we may have to contemplate." Indeed, "there's likely to be a second Holocaust. Not because the Israelis are acting without restraint, but because they are, so far, acting with restraint despite the massacres making their country uninhabitable." George F. Will admiringly cited Rosenbaum in a column that he called "'Final Solution,' Phase 2." "Here in Washington, D.C., a few blocks away, is the Holocaust Museum," William Bennett told the rally in support of Israel at the Capitol on April 15. "What we are seeing today, what Israel is feeling today, was not supposed to happen again." On the same occasion Benjamin Netanyahu compared Arafat to Hitler, and also to Stalin. ("We don't have to be afraid that the international community doesn't see eye to eye with us," he proclaimed at the Likud Party conference this week. "Did the international community see the danger of the Holocaust?") "THE NEW KRISTALLNACHT," screamed the headline of a Jewish paper in New York about the Passover massacre in Netanya. "This is Kristallnacht transposed to Israel," wrote Charles Krauthammer in *The Washington Post*. And doves are as unnerved as hawks. "As I've said before," Nat Hentoff told *New York* magazine, "if a loudspeaker goes off and a voice says, 'All Jews gather in Times Square,' it could never surprise me."

CALL ME A simple soul, but it could surprise me. The Jews that I see gathered in Times Square are howling at Nazis in Mel Brooks's kick lines. Hentoff's fantasy is grotesque: There is nothing, *nothing*, in the politics, the society, or the culture of the United States that can support such a ghastly premonition. His insecurity is purely recreational. But the conflation of the Palestinians with the Nazis is only slightly less grotesque. The murder of 28 Jews in Netanya was a crime that fully warranted the Israeli destruction of the terrorist base in the refugee camp at Jenin, but it was not in any deep way like Kristallnacht. Solidarity must not come at the cost of clarity. Only a fool could believe that the Passover massacre was a prelude to the extermination of the Jews of Israel; a fool, or a person with a particular point of view about the Israeli-Palestinian conflict. If you think that the Passover massacre was like Kristallnacht, then you must also think that there cannot be a political solution to the conflict, and that the Palestinians have no legitimate rights or legitimate claims upon any part of the land, and that there must never be a Palestinian state, and that force is all that will ever avail Israel. You might also think that Jordan is the Palestinian state and that the Palestinians should find their wretched way there. After all, a "peace process" with the Third Reich was impossible. (Even if Chaim Weizmann once declared, about his willingness to enter into negotiations with Nazi officials, that he would negotiate with the devil if it would save Jews.) So the analogy between the Passover massacre and Kristallnacht is not really a historical argument. It is a political argument disguised as a historical argument. It is designed to paralyze thought and to paralyze diplomacy.

ALL VIOLENCE IS not like all other violence. Every Jewish death is not like every other Jewish death. To believe otherwise is to revive the old typological thinking about Jewish history, according to which every enemy of the Jews is the same enemy, and there is only one war, and it is a war against extinction, and it is a timeless war. This typological thinking defined the historical outlook of the Jews for many centuries. It begins, of course, with the Amalekites, the nomadic tribe in the Sinai desert that attacked the Israelites on their journey out of Egypt. "The Lord hath sworn that the Lord will have war with Amalek from generation to generation.... Thou shalt blot out the remembrance of Amalek from under heaven; thou shalt not forget it." From generation to generation: An adversarial role, a diabolical role, was created in perpetuity. And so Amalek became Haman (who actually was an Amalekite), who became the Romans, who became the Crusaders, who became Chmielnicki, who became Petlura, who became Hitler, who became Arafat. The mythifying habit is ubiquitous in the literature of the Jews. In some instances, it must not have seemed like mythifying at all. "A tale that began with Amalek," wrote the Yiddish poet Yitzhak Katznelson in the concluding lines of "The Song of the Murdered Jewish People" in 1944, not long before he died at Auschwitz, "and ended with the crueler Germans...."

But it is mythifying, and the habit is back; and so a number of things need to be said about Amalek, and about the Amalekization of the present enemy. For a start, the prescription of an eternal war with Amalek was a prescription for the Jews to be cruel. Here is Rashi's brutal gloss, in the eleventh century in France, on the commandment to "blot out the remembrance": "Every man and every woman, every babe and every suckling, every ox and every sheep. The memory of Amalek cannot be said to survive even in an animal, such that someone could say, 'This animal once belonged to an Amalekite.'" This extreme of heartlessness was responsible for the most chilling sentence uttered by an Israelite in the Bible: "What meaneth then this bleating of the sheep in mine ears, and the lowing of the oxen which I hear?" That was what Samuel furiously demanded to know of the poignantly human Saul, the king who could not bring himself to slaughter his enemy completely. So if Amalek is waging a war of extermination against the Jews, the Jews are waging a war of extermination against Amalek. It was perhaps this pitilessness against which some (but certainly not all) medieval and early modern Jewish intellectuals revolted, when they wondered about the precise identity of Amalek in their own day, and proposed various kinds of symbolic action that would allow Jews to acquit themselves of the law about the erasure of the enemy, and deferred the

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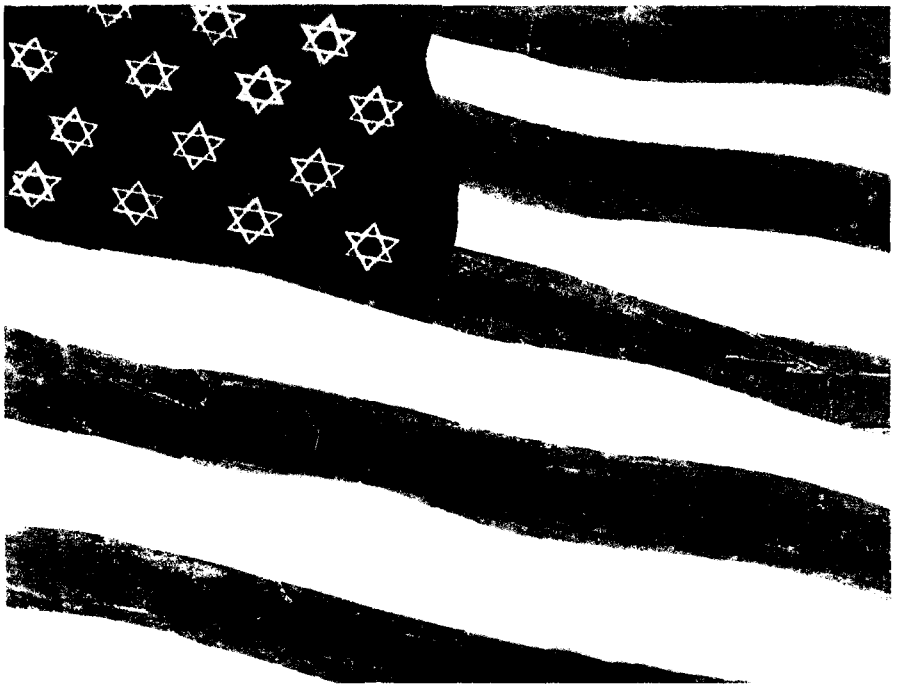
application of the law to the messianic age. I wish also to record an extraordinary comment by Isaac Abarbanel, the thinker and statesman who failed to persuade the king and the queen of Spain to revoke the edict of expulsion in 1492 and promptly fled to Naples. The sin of the Amalekites, he explained, was that their aggression against the Israelites was groundless: "Amalek attacked them without reason.... For the Israelites possessed no land that the Amalekites coveted." It would appear that there is no place for Abarbanel in the Likud. For his implication is decidedly a moderate one. If the Israelites had possessed land that the Amalekites coveted, then this would not have been a war to the end of time. It would have been an ordinary war, a war that can be terminated in a peace.



BUT THE REAL problem with typological thinking about history is that it is not historical thinking at all. It is ahistorical thinking. It obscures and obliterates all the differences between historical circumstances in favor of a gross, immutable, edifying similarity. It is an insufficiently worldly way to judge the world. For this reason, such thinking was overthrown in the modern period by Jews who decided that their myths would not ameliorate their misery; that there was not only one question and only one answer; that the entire universe was not their enemy and their enemy was not the entire universe; that the historical differences mattered as much as the historical similarities, because a change in history, progress, normality, tranquillity, was possible; that historical agency required historical thinking, that is, concrete thinking, empirical thinking, practical thinking, secular thinking. All these notions amounted to a revolution in the Jewish spirit, without which the Jewish national movement and the Jewish state could not have been brought into being. A historiosophy is not a strategy. The Jews taught themselves to attend not only to their fates, but also to their interests. That is to say, they taught themselves no longer to regard themselves as the last Jews. The lesson was called Zionism. The last Jews have nothing to do but fight or die; but Zionism has more to do. Israel was not created to destroy Amalek. Israel was created to deny Amalek.

Is Hamas Amalek? I have no idea. Also I do not care. It is bad enough that Hamas is Hamas. (Was Hitler Amalek? No, he was worse.) Anyway, Amalek is not all that justifies the use of force. But the important point is that Amalek justifies nothing but the use of force. There is no other solution to the Amalek problem. And that is why all this pessimism is not only intellectually sloppy, it is also operationally superfluous. It is a view of history that provides no foundation for Israeli restraint, and sometimes restraint is the intelligent policy. Consider this week's calamity. If Netanya was Kristallnacht, then Rishon Letzion was Kristallnacht. The villain in Netanya came from Jenin, and Israel turned its might on Jenin. The villain in Rishon Letzion came from Gaza, but Israel is not turning its might on Gaza. Why not? The logic is the same. The answer, of course, is that this is not the logic of statecraft. If, as the Israeli press is reporting, there may be signs of flexibility on the Palestinian side, it is the duty of the Israeli government to stay its hand and have a look. These signs may be false; but too many people have perished not to take their measure. The exploration of opportunities for accommodation and understanding is a matter of both prudence and principle. It may be that Ariel Sharon, of all people, has comprehended this. As long as the prime minister of Israel continues to speak of the eventual establishment of a Palestinian state, Kristallnacht is over. (For Netanyahu, by contrast, every Nacht is Kristallnacht.)

THE FRIGHT OF American Jewry is owed also to a new recognition of the reality of anti-Semitism. Up to a point, this is as it should be: The happiness of the Jews in the United States certainly demands a regular refreshment of their awareness of evil. There is something a little odd, though, about the shock with which the news of European anti-Semitism has been met, since it is for the Jews the oldest news. There was one blessing, and one blessing only, that the Second World War conferred upon the Jewish people, and it is that the future of the Jewish people forever departed Europe. Anti-Semitism in Europe must be fought, but not with the confidence that this will be a European fight, too. European nationalism includes no conception of the multiethnic state. European culture is permeated with a contempt for otherness. Indeed, the moral incompetence of European culture with regard to otherness now falls more heavily upon Muslims than upon Jews.

The acknowledgment of contemporary anti-Semitism must be followed by an analysis of contemporary anti-Semitism, so that the magnitude of the danger may be soberly

HADLEY HOOPER

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assessed. Is the peril "as great, if not greater" than the peril of the 1930s? I do not see it. Jewish history now consists essentially in a competition for the Jewish future between Israel and the United States, between the blandishments of sovereignty and the blandishments of pluralism; it is a friendly competition, and by the standards of Jewish experience it is an embarrassment of riches. In many significant ways, the Jewish present is discontinuous with the Jewish past, and some of these discontinuities will stand among the finest accomplishments of Jewish history, though the ruptures were sometimes very bruising. The predicament of contemporary Jewry cannot be correctly understood except in terms of these saving discontinuities. Anti-Semitism has not disappeared, obviously; but Zionism was not premised on the expectation that anti-Semitism would disappear, it was premised on the expectation that anti-Semitism would *not* disappear, and in the United States the prejudice has never been granted political or philosophical legitimacy. (It was the legitimacy of Jew-hatred in European society that made it lethal.)

In Israel and in the United States, moreover, the Jews found not only safety, but also strength. The blandishments of pluralism in America have included the fierce and unembarrassed pursuit of Jewish interests, and so brilliantly that the American Jewish community has become the model for what an ethnic group can accomplish in such conditions of freedom. The blandishments of sovereignty in Israel have conspicuously included military power. Suicide bombs are sickening; but it is the Israelis who command an army and an air force, and also a nuclear arsenal. These instruments of warfare are themselves conclusions properly drawn from a severe history in which Jews lacked the means of self-reliance and self-defense. There is nothing vexing about the strength of the Jewish state, though there may be something vexing in the manner in which the Jewish state sometimes (but not often) exercises its strength. And military power has political purposes as well as military purposes.

So Israel has adversaries, but Israel is stronger than its adversaries. That is why the real threat to Israel comes not from Jenin and Gaza, but from Baghdad and Tehran; not from booby-trapped casbahs, but from advanced missile technologies. But not even that threat, and it is grave, can be accurately compared to the plight of the Jews in Hitler's Europe. The comparison breaks down over more than the fact that this time the Jews have a spectacular deterrent. The Jews in the 1930s and 1940s were fighting, when they fought, for nothing more than a splendid death. They knew that the fight was futile, which makes their courage almost unbearable to contemplate. The Jews in Israel have no reason to believe that the fight is futile. And they are fighting for their home.

THE FRIGHT OF American Jewry is finally not very surprising, and not only because we are an "ever-dying people." To a degree that is unprecedented in the history of the Jewish people, our experience is unlike the experience of our ancestors: not only our ancient ancestors, but also our recent ones. It is also unlike the experience of our brethren in the Middle East. Their experience of adversity in particular is increasingly unrecognizable to us. We do not any longer possess a natural knowledge of such pains and such pressures. In order to acquire such a knowledge, we rely more and more upon commemorations—so much so that we are transforming the Jewish culture of the United States into a largely commemorative culture. But the identifications that seem to be required of us by our commemorations are harder and harder for us to make. In our hearts, the continuities feel somewhat spurious. For we are the luckiest Jews who ever lived. We are even the spoiled brats of Jewish history. And so the disparity between the picture of Jewish life that has been bequeathed to us and the picture of Jewish life that is before our eyes casts us into an uneasy sensation of dissonance. One method for relieving the dissonance is to imagine a loudspeaker summoning the Jews to Times Square. In the absence of apocalypse, we turn to hysteria.

IN AMERICA, MOREOVER, ethnic panic has a certain plausibility and a certain prestige. It denotes a return to "realism" and to roots. A minority that has agreed to believe that its life has been transformed for the better, that has accepted the truth of progress, that has revised its expectation of the world, that has taken yes for an answer, is always anxious that it may have been tricked. For progress is a repudiation of the past. Yes feels a little like corruption, a little like treason, when you have been taught no. For this reason, every disappointment is a temptation to eschatological disappointment, to a loss of faith in the promise of what has actually been achieved. That is why wounded African Americans sometimes cry racism and wounded Jewish Americans sometimes cry anti-Semitism. Who were we kidding? Racism is still with us. Anti-Semitism is still with us. The disillusionment comes almost as a comfort. It is easier to believe that the world does not change than to believe that the world changes slowly. But this is a false lucidity. Racism is real and anti-Semitism is real, but racism is not the only cause of what happens to blacks and anti-Semitism is not the only cause of what happens to Jews. A normal existence is an existence with many causes. The bad is not always the worst. To prepare oneself for the bad without preparing oneself for the worst: This is the spiritual challenge of a liberal order.

The Jewish genius for worry has served the Jews well, but Hitler is dead. The conflict between Israel and the Palestinians is harsh and long, but it is theology (or politics) to insist that it is a conflict like no other, or that it is the end. The first requirement of security is to see clearly. The facts, the facts, the facts; and then the feelings. Arafat is small and mendacious, the political culture of the Palestinians is fevered and uncompromising, the regimes in Riyadh and Cairo and Baghdad pander to their populations with anti-Semitic and anti-American poisons, the American government is leaderless and inconstant; but Israel remembers direr days. Pessimism is an injustice that we do to ourselves. Nobody ever rescued themselves with despair. "An ever-dying people is an ever-living people," Rawidowicz sagely remarked. "A nation always on the verge of ceasing to be is a nation that never ceases to be." It is one of the lessons that we can learn from the last Jews who came before us. ■

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Black Listed Cancer Treatment Could Save Your Life

Baltimore, MD— As unbelievable as it seems the key to stopping many cancers has been around for over 30 years. Yet it has been banned. Blocked. And kept out of your medicine cabinet by the very agency designed to protect your health—the FDA.

In 1966, the senior oncologist at St. Vincent's Hospital in New York rocked the medical world when he developed a serum that **"shrank cancer tumors in 45 minutes!"** 90 minutes later they were gone... Headlines hit every major paper around the world. Scientists and researchers applauded. Time and again this life saving treatment worked miracles, but the FDA ignored the research and hope he brought and shut him down.

You read that right. He was not only shut down—but also forced out of the country where others benefited from his discovery. That was 35 years ago. How many other treatments have they been allowed to hide? Just as in the case of Dr. Burton's miracle serum these too go unmentioned.

Two-Nutrient Cancer Breakthrough...

Decades ago, European research scientist Dr. Johanna Budwig, a six-time Nobel Award nominee, discovered a totally natural formula that not only protects against the development of cancer, but people all over the world who have been diagnosed with incurable cancer and sent home to die have actually benefited from her research—and now lead normal lives.

After 30 years of study, Dr. Budwig discovered that the blood of seriously ill cancer patients was deficient in certain substances and nutrients. Yet, healthy blood always contained these ingredients. It was the lack of these nutrients that allowed cancer cells to grow wild and out of control.

By simply eating a combination of two natural and delicious foods (found on page 134) not only can cancer be prevented—but in case after case it was actually healed! "Symptoms of cancer, liver dysfunction, and diabetes were completely alleviated." Remarkably, what Dr. Budwig discovered was a totally natural way for eradicating cancer.

However, when she went to publish these results so that everyone could benefit—**she was blocked by manufacturers with heavy financial stakes!** For over 10 years now her methods have proved effective—yet she is denied publication—blocked by the giants who don't want you to read her words.

What's more, the world is full of expert minds like Dr. Budwig who have pursued cancer remedies and come up with remarkable natural formulas and diets that work for hundreds and thousands of patients. *How to Fight Cancer and Win* author William Fischer has studied these methods and revealed their secrets for you—so that you or someone you love may be spared the horrors of conventional cancer treatments.

As early as 1947, Virginia Livingston, M.D., isolated a cancer-causing microbe. She noted that every cancer sample analyzed (whether human or other animal) contained it.

This microbe—a bacteria that is actually in each of us from birth to death—multiplies and promotes cancer when the immune system is weakened by disease, stress, or poor nutrition. Worst of all, the microbes secrete a special hormone protector that short-circuits our body's immune system—allowing the microbes to grow undetected for years. No wonder so many patients are riddled with cancer by the time it is detected. But there is hope even for them...

Turn to page 82 of *How to Fight Cancer and Win* for the delicious diet that can help stop the formation of cancer cells and shrink tumors.

Six-time Nobel Nominee's Two-Nutrient Cancer Breakthrough Revealed

They walked away from traditional cancer treatments...and were healed! Throughout the pages of *How to Fight Cancer and Win* you'll meet real people who were diagnosed with cancer—suffered through harsh conventional treatments—turned their backs on so called modern medicine—only to be miraculously healed by natural means! Here is just a sampling of what others have to say about the book.

"We purchased *How to Fight Cancer and Win*, and immediately my husband started following the recommended diet for his just diagnosed colon cancer. He refused the surgery that our doctors advised. Since following the regime recommended in the book he has had no problems at all, cancer-wise. If not cured, we believe the cancer has to be in remission."

—Thelma B.

"I bought *How to Fight Cancer and Win* and this has to be the greatest book I've ever read. I have had astounding results from the easy to understand knowledge found in this book. My whole life has improved drastically and I have done so much for many others. The information goes far beyond the health thinking of today."

—Hugh M.

"I can't find adequate words to describe my appreciation of your work in providing *How to Fight Cancer and Win*. You had to do an enormous amount of research to bring this vast and most important knowledge to your readers.

My doctor found two tumors on my prostate with a high P.S.A. He scheduled a time to surgically remove the prostate, but I canceled the appointment. Instead I went on the diet discussed in the book combined with another supplement. Over the months my P.S.A. has lowered until the last reading was one point two."

—Duncan M.

"In my 55 years as a Country Family Physician, I have never read a more 'down to earth,' practical resume of cancer prevention and treatments, than in this book. It needs to be studied worldwide for the prevention of cancer by all researchers who are looking for a cure."

—Edward S.,MD

"As a cancer patient who has been battling lymphatic cancer on and off for almost three years now, I was very pleased to stumble across *How to fight Cancer and Win*. The book was inspiring, well-written and packed with useful information for any cancer patient looking to maximize his or her chances for recovery."

—Romany S.

"I've been incorporating Dr. Budgwig's natural remedy into my diet and have told others about it. Your book is very informative and has information I've never heard about before (and I've read many books on the cancer and nutrition link). Thanks for the wonderful information."

—Molly G.

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Stanley Kauffmann on Films

Frenzy and Finesse

WOODY ALLEN MAKES me dizzy. It's not his directing, which has become orderly and sometimes deft, nor the editing, which is not slam-bang; it's his acting. No, not even his acting: it's his arms. Every moment that he is on screen, and he is rarely off it in **Hollywood Ending** (DreamWorks), both his arms are flailing away in simultaneous gestures. Very soon he makes us think of a sailor semaphoring wildly on a sinking ship.

From out of this frenzy, which is bad enough, a desperation winds its way into view. Allen's semaphoring is painful not because it violates any great precept of acting, although I have never seen a professional actor, serious or comic, indulge so insistently in Allen's gymnastics. It's worse. The real trouble is that all this grabbing of air, this gesticulating, this repetitive physical emphasis of matters that do not need it, is apparently a function of fear. Somewhere in his (certainly bright) mind, he knows that he is a feeble actor, and he keeps those arms going, going, going as if he were trying to claw his way to authenticity.

His feebleness is so manifest that it moves us past dislike into pathos. We begin to feel sorry for an actor who, when called on to manifest any emotion or reaction or combination of them, does a split-second search of his resources, finds that the cupboard is bare, and tries to manufacture the necessary response—with, as he thinks, the aid of those waving arms. He has the central role in his new film, and, whatever its plentiful faults, it is scuttled even before it leaves port by his performance. Imagine Robin Williams or Danny De Vito in the role, and *Hollywood Ending*, despite its script, ascends to a different life.

Here, I'd guess, is the order of creation of this screenplay—written by Allen, of course. What, he wondered, is the most farcical situation that could occur in the shooting of a film? Answer: the director is blind. And nobody knows it. Once that premise was in place, all that was necessary was to devise the way he gets the job, maintains it for the duration, and finishes up. Allen's solutions: a director with normal vision develops psychosomatic blindness just as the picture starts (a psychological cause is cooked up). He keeps his blindness secret because he frantically needs the job. He finds a trustworthy stooge to help him on the set, and a small crisis is then contrived when the stooge has to be replaced. When the film is finished, it is a cataclysmic mess. The producers are aghast. But though the picture is panned in the United States, it is hailed in France as an avant-garde marvel. (I thought of *Once in a Lifetime*, the Moss Hart–George S. Kaufman comedy of 1932, in which a dumbbell is put in charge of a Hollywood production. The result is a misery to his colleagues, yet the press calls the dumbbell an innovative genius.)

Allen's plot is incredible long before the blindness sets in. This director, who has been unemployable for ten years, is put in charge of a $60 million production—at the insistence of his ex-wife, who now works for the producer—after an initial meeting in which the director behaves like an advanced neurotic on leave from an institution. This early scene warns us to forget about credibility and just hope for some laughs. Indeed, there are a few, but not nearly enough to compensate for the plot and Allen's performance. (Incidentally, the director's first name is Val; his agent is Al; his producer is Hal. Is some Eleusinian mystery implied here?)

Still, despite all the above, we leave with a debt to Allen. He gave the leading female role, his ex-wife, to Téa Leoni. This is not Leoni's first film and she has also done much television, but here she has a truly prominent role, and she sparkles. She is tall, blonde, and highly attractive, and these qualities quickly become additions to the fact that she can act. What's more, she can play farce, one of the most difficult kinds of acting. She never seems merely to be supplying, or trying to supply, what the director wants at the moment. She never "acts": she is always the ex-wife who is unaware that she is in a farce, at the same time that she is Leoni who does know and who maneuvers this woman's way through the chaos.

More Leoni, please.

Eric Rohmer is securely enshrined. The artist who made, among more than two dozen films, *My Night at Maud's*, *Claire's Knee*, and, above all, *The Marquise of O* need not fret about the bothersome matter of immortality. A new Rohmer film must always bring an extra nimbus of interest because it comes from him.

Unfortunately, however, **The Lady and the Duke** (Sony Pictures Classics) does not do much more than disclose what Rohmer is thinking about these days. (He made this picture last year, when he was eighty-one.) Its subject is certainly dramatic—the (true) adventures of an English noblewoman in Paris in 1792 while the Revolution rages—but Rohmer treats the tense story almost as courteously as if a gavotte were being danced against a flaming background.

The protagonist is Grace Elliott, who had been the mistress of the Prince of Wales and had been painted by Gainsborough. (Rohmer drew his screenplay from her memoirs.) She was subsequently the mistress of the Duke of Orleans, who was so fond of her that, after their affair, he brought her to Paris and established her there. Elliott's political sympathies were sufficiently royalist to make trouble for her in turbulent Paris; still, despite the advice of her amiable duke, she continued secretly to help aristocrats who were in trouble.

For this story of a female Scarlet Pimpernel, potentially exciting and airily comic, Rohmer uses two approaches that make the film a walk through a gallery rather than a drama. First, most of the scenes are not directed as much as they are gallantly arranged. Rohmer seems to be attempting a French Neoclassic style: people confront one another, utter impressively what they have to say, and depart. This method has some stature. Though Lucy Russell, as Elliott, has a voice that is only pleasant, the men fill the ear. French male actors of any experience often have voices so thrilling that, ever since the days of Pierre Brasseur and Louis Jouvet and Pierre Fresnay, they have been benefits in themselves. Jean-Claude Dreyfus, as the duke, is in that resonant tradition and does much to support the Corneille effect.

Second, Rohmer's visual approach. He has opted for a series of studio settings as exteriors instead of location shooting. All the settings are treated somewhat in the restrained coloring of aquatints, which increases the gallery effect, and he has digitally added some people. Often we have the feeling in a street scene that Paris had about eleven residents at the time, and they all happen to be ambling through at the moment. One sequence has an angry

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mob in it, but I surmise that the mob is a special effect.

Thus *The Lady and the Duke* is certainly agreeable to watch and to hear, but, partly because Russell is an English beauty rather than an actress, the result, for all the subtle coloring, is pallid. To put it another way, I am glad that Rohmer made *The Marquise of O* in 1976, rather than in 2001. ■

The Principle of Hope

By SHERWIN B. NULAND

The Case Against Assisted Suicide: For the Right to End-of-Life Care edited by Kathleen Foley and Herbert Hendin

(Johns Hopkins University Press, 371 pp., $49.95)

I.

AS EVERY DOCTOR knows, the number of operations that have been devised for a given pathology is inversely proportional to the probability that any of them is entirely satisfactory. Thus there have been dozens of surgical methods designed to treat the notoriously resistant problem of acid reflux disease, but there has been only a single technique for appendicitis, because it succeeds every time.

The opposite can be said about the number of definitions for a given noun. The more there are, the more valuable is each one. Multiple definitions, each subtly different from all the others, convey multiple shades of meaning. They expand the uses of the word and the contexts in which it can appear; language is enriched, thought is widened, and interpretations increase or dilate to fill the potentialities of association. The very impossibility of absoluteness in the definition of certain nouns adds to the levels of connotation they may reach. The inner life of a writer says more than most readers can know; the mind of a reader discovers truths that go beyond the intent or perhaps even the comprehension of the writer. And all of it finds expression because a word can mean many things.

"Hope" is such a noun. In thinking about its multiplicity of uses, we might consider for a moment what "every doctor knows," beyond the data and the complexities of human biology and its discontents. For if there is a single theme interwoven into the education of all medical students and verified in the crucible of daily experience, it is the unstated precept that hope is the subtext of every encounter that a doctor will ever have with a fellow human being who is sick. People come to us seeking hope, and we are meant to convey hope in every facial expression and clinical intervention that we undertake. Hope is a powerful element in the therapeutic arsenal. Almost always, it is synonymous with a reassuring optimism that we can do something to fend off the depredations of a disease.

But what happens when there is no treatment adequate to fight the malady? As a student I was taught—and for four decades I have taught others—that under no circumstances must a physician allow a patient to lose hope. Of what, then, does hope consist, when there can be no optimism that cure will be attained or life lengthened? How can the word be defined for a man or woman whose life is near its inevitable end?

To hope is to be imbued with expectation of a good that is yet to be; but at the time of terminal illness it must be sought in precincts where the remission of disease is not to be found. It lives in those other places, awaiting discovery. For the "good that is yet to be" does in fact exist elsewhere and in other forms, even when there is no remedy for the sickness. As a physician or as a person about to lose one who is loved, we can provide hope by a spoken or unspoken promise that this man or woman who puts such trust in us will not be abandoned to die alone; that the meaning of the life soon to end will be perpetuated within our memories and our actions; and that insofar as this can be managed, no suffering will disturb the tranquillity of the final days. Of these three forms of hope, only the last is not always possible to fulfill.

But that is not the end of the story. Dwelling only on the obstacles to providing physical and emotional comfort may lead to medical complacence or philosophical fatalism. For the relief of suffering *is* possible far more often than many of those who attempt to influence public opinion have realized or been willing to admit. The methods of palliative care, or comfort care, have in the past few decades reached a level of effectiveness such that suffering thought at first to be intractable can almost always be relieved. And this is the ultimate message of this vastly important book that now makes its timely appearance, in which are included essays by some of the most prominent names in the movement to oppose physician-assisted suicide and euthanasia.

Like the underlying theme of all medical care, the book's message is hope. It is a form of hope that will leave some readers—myself included—incompletely convinced; but it is a hope so well articulated in the writings of these authors that this book will long stand as the definitive counter-argument to the wild-eyed Kevorkians and the impatient Hemlockers. More important, it addresses and in specific ways corrects some of the most basic assumptions of the majority of voters in Oregon and the deeply committed right-to-die physicians, lawyers, and ethicists whose lead they followed in passing ORS 127.800-897, the presumptuously named Death With Dignity Act. *The Case Against Assisted Suicide* is certain to change plenty of minds, and some of them will be in Oregon.

About half a dozen years ago, I heard a vague reference to a description of hope by Václav Havel that seemed so appropriate for the situation in which the dying and their families—and their attending physicians as well—so often find themselves that I determined to discover the precise words that the writer had used. None of the well-read colleagues whom I consulted was able to provide the statement's source, until one day I chanced to use it in the presence of Kathleen Foley, a professor of neurology, neuroscience, and clinical pharmacology at the Weill Medical College of Cornell University. Dr. Foley directed me to an essay in Havel's book *Disturbing the Peace*:

> Hope is definitely not the same thing as optimism. It is not the conviction that something will turn out well, but the certainty that something makes sense, no matter how it turns out.

It is no accident that Kathleen Foley

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alone, of all those whom I consulted, was so familiar with this passage that she could unerringly lead me to its source. The search for "something that makes sense" when therapeutic triumph becomes an impossible goal is the stuff of her career and the mission to which she has dedicated her life. As an attending physician on the Pain and Palliative Care Service at New York's Memorial Sloan-Kettering Cancer Center, she has achieved renown as one of medicine's foremost experts on end-of-life issues. Hers is also one of medicine's most prominent voices in the contentious debate about just what it is that makes sense when a suffering patient asks for help in dying: she is a vehement opponent of physician-assisted suicide. Whether in her clinical work or as program director of George Soros's Project on Death in America, Foley has long been an outspoken and very articulate leader in the fight against legislation that would enable such programs. And now she and an equally authoritative colleague, Dr. Herbert Hendin, medical director of the American Foundation for Suicide Prevention, have brought together a group of like-minded and highly respected colleagues to join them in the crusade. On the list of contributors are names familiar to veteran observers of the fray: Leon Kass, Edmund Pellegrino, Daniel Callahan, Yale Kamisar, Joanne Lynn, and Cicely Saunders. Together with somewhat less prominent authors, they make up a formidable team, and a very persuasive one.

As a longtime participant in the battle (one of the contributors to this book refers to me as "an American euthanasia proponent," and he has it somewhat right), I was reassured to note the title of the introduction that Foley and Hendin have written for their volume: "A Medical, Ethical, Legal, and Psychosocial Perspective." Though several of the contributors to this book are well-known to have strong religious backgrounds and commitments, there is precious little moralizing here, and there is no appeal to any emotion arising from doctrines or dogmas of faith. The emphasis throughout is on facts, data, logic, and a powerful conviction about public and private consequences. If there is zealotry in these pages, it is in the cause of benefiting the sick, their families, and the larger society. Responsible members of the opposition who read this book cannot help but admire what its contributors have accomplished. I suspect that the most skilled and thoughtful of them will respond with an equally impressive volume of rejoinder.

From *The Book of Light*

Far North. December. A handful of light
trembles and sings and trembles. I write to you
from a place you have never been, our story
older, more human. The porcelain years break

into sense and forgiveness. Our cities slip into the dark.
And I? I live alone, touch the words filling with slowness
of afternoon. I imagine Ithaca: the high shores, clouds folding
and unfolding, light settling on what we say and do.

Soul, what has left but keeps arriving
between me and my country, a glasswork of forgetting,
I pray: *we walk under the Lord. He cannot recall our names*

but the difficult sky comes down to what we say.

Ilya Kaminsky

II.

THROUGHOUT THE LONG history of medicine, physicians have always sought to distinguish between those sicknesses that can be successfully addressed by their ministrations and those that cannot be so addressed. One of the proudest attributes of the healer during the era of Hippocrates was his ability to prognosticate, because it allowed him to withdraw when he saw that death would be the certain outcome of the natural process that he had been summoned to treat. For more than two millennia thereafter, the doctor was rarely present at the bedside of his dying patient, whose care was left to the devotion of family and clergy. It was not until the late nineteenth century, after morphine had been synthesized (1816) and hypodermic syringes had been invented (1860), that the physician began to appear in the sickroom of the terminally ill, when he could actually do something of value to relieve the suffering of his dying patient.

The medical profession, as it always had, recognized the onset of certain kinds of symptoms as a signal that continuing efforts to cure would be fruitless or even cruel, and that the time had come to provide comfort. A medical dictionary from 1874 defines euthanasia as "an easy death." An easy death was the goal of every patient and every doctor. But the advent of modern biomedicine would change all of that. With the introduction of therapeutic agents and technologies that sometimes figuratively snatched patients from the edge of the grave, the doctor became a heroic figure of almost mythic proportions. The very same symptoms that a century earlier had been the signal to palliate now became the catalytic factors that stimulated even further the high-energy struggle of yet one more attempt at defeating the implacable enemy.

Doctors, once so skilled in easing death, now focused their biotech abilities on the more dramatic effort of saving lives that were all but lost. The healer's pastoral role was forgotten, replaced by the image of a warrior riding into battle. Dr. Kildare metamorphosed into the embattled star of *ER*. And many lives have indeed been saved. The constantly falling mortality statistics are a source of great and justified pride for doctors and of healthy longevity for patients. And yet something has been lost. What has been lost is the ability, or perhaps the will, to recognize when to stop, and to provide an easy death when stopping is the only thing that makes the sense that Havel defines as hope. Too often, the struggle to prolong life has only resulted in the prolongation of dying.

Even the word "euthanasia" has come to mean something different from before, and it is not something pretty to contemplate. Foley and Hendin quite rightly point out that were the medical profession better at implementing the word's old meaning, we would hear fewer calls for it to be applied in its new meaning. The know-how is available, but too many physicians do not know how. As Dame Cicely Saunders, the founder of the hospice movement, puts it in her contribution to this book, "The old methods of care and caring must be rediscovered."

The old methods include compassion, which has never entirely left the arena, though it often becomes submerged beneath the onrushing flood of dramatic rescue. In fact, it is compassion that is one of the two foundation stones on which proponents of assisted suicide and euthanasia build the imposing edifice of their case. The other is something new: self-determination, the *cri de guerre* that drowns out the protestations of friends and relatives whose lives are affected by decisions made in the name of an autonomous will, without regard for the needs of those left behind. Like hope, these nouns—compassion, self-determination—are interpretable in various ways,

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and it is a strength of this sobering book that it addresses the glibness with which they have been used. Under close scrutiny, neither the something old nor the something new supports the conclusions that it is claimed to validate.

Leon Kass ably states the argument of the self-determinationists and his response to it, which is reiterated and verified by clinical observations, surveys, case reports, studies of the pertinent literature, statements by participants, and data that are to be found in various chapters of *The Case Against Assisted Suicide*:

> [Its advocates state that] the request for assistance in death is to be honored because it is freely made by the one whose life it is, and who, for one reason or another, cannot commit suicide alone. But this too is fraught with difficulty: How free or informed is a choice made under debilitated conditions? Can consent long in advance be sufficiently informed about all the particular circumstances that it is meant prospectively to cover? And in any case, are not such choices easily and subtly manipulated, especially in those who are vulnerable?

> Truth to tell, the ideal of rational autonomy, so beloved of bioethicists and legal theorists, rarely obtains in actual medical practice. Illness invariably means dependence, and dependence means relying for advice on physician and family. This is especially true of those who are seriously or terminally ill, where there is frequently also depression or diminished mental capacity that clouds one's judgment or weakens one's resolve. With patients thus reduced—helpless in action and ambivalent about life—someone who might benefit from their death need not proceed by overt coercion. Rather, requests for assisted suicide can and will be subtly engineered.

Every physician and every nurse who has spent long hours at the bedsides of dying patients knows that Kass's description of their common inability to make rational or consistent decisions is accurate. These experienced witnesses know also that choices made in previous circumstances, when they seemed proper and wise, are often changed in the face of the reality of grimmer circumstances. A very sick person is not the same man or woman who months or years earlier calmly signed an advance directive or described for closest relatives and a trusted doctor the point at which they should desist from further efforts to maintain life. Family members and caregivers—including the putatively distanced doctors—have goals and agendas that not infrequently confuse what is best for the wavering patient with what is in fact best for themselves.

That much of this understanding is below the level of actual awareness, that much of it proceeds from the best of intentions, does not make it less influential on the minds of the sick. Unknowing coercion is as effective, if not more so, than that which is deliberate. Add to this the well-known fact that the most common reason given by people asking for assisted suicide is not pain or some other specific form of suffering, but their wish not to be a burden to those whom they love. In this way, sometimes unwittingly and sometimes deliberately, loved ones too often influence the decisions of the debilitated and needful.

And the dying are not the only ones vulnerable to the verbalized and silent guidance, expectations, and benefit of others. So, too, are the elderly, the frail, the disabled, the economically disadvantaged. The term "duty to die" has been bandied about, and not in idle conversation but as a consideration in social policy. Following a presentation of my own views on euthanasia at a symposium organized in 1997 by a society of Harvard medical students, I was confronted by a woman in a wheelchair who had positioned herself near the rostrum. She expressed her certainty that people such as herself have a great deal to fear should enabling legislation become acceptable. I thought that she was overstating her case, but I should have known better. Sitting in the audience was a previous speaker, Derek Humphry, the founder of the Hemlock Society and author of *Final Exit*, the best-selling how-to book for would-be suicides.

In the following year, Humphry and a co-author would publish yet another of the polemics that have marked his tireless campaign in the name of self-determination and compassion. This one was called *Freedom to Die*. Here is what the book says about these matters. Read it and think about coercion.

> As technology advances, as medical costs skyrocket out of control, as chronic diseases predominate, as the projected rate of the 85-and-older population accelerates, as managed care seeks to cut costs, and as Medicare is predicted to go bankrupt by 2007, the pressures of cost containment provide impetus, whether openly acknowledged or not, for the practicalities of assisted death.... [T]he right-to-die movement is gaining momentum in response to a legitimate societal problem—the emotional, physical, and economic toll of the dying experience on not only government, employers, hospitals, and insurance companies, but on families as well.

This is terrifying stuff. Where is the vaunted freedom of which Humphry and his sympathizers boast? And where, pray, is the self-determination? Probably in the same hellhole that they occupied in Germany in the 1930s, where such philosophies led to their natural culmination in murder.

If the principle of autonomy can be shown to be a weak argument for assisted suicide and euthanasia, what about compassion? It is surely a merciful act to grant a suffering man or woman the quietus that he or she seeks, when anguish is intolerable and no means can be found to relieve it. The response to such a seemingly straightforward statement lies in the matter of where the seeking is being done. An overly large number of American physicians are untrained in the provision of comfort care, and are not even aware of its easy availability. Their standard for powerlessness in the face of suffering is set very low. They are susceptible to requests for help in dying in situations where their colleagues skilled in palliation would have plenty of hope still to offer. They are, in fact, more likely to be proponents of assisted suicide than such colleagues. As Foley and Hendin point out, "It is not surprising that studies show that the more physicians know about palliative care, the less they favor assisted suicide or euthanasia, while the less they know, the more they favor it.... In Oregon, when given any palliative care options, patients were far less likely to choose physician-assisted suicide." And this is true even though few of the involved Oregon physicians knew enough about palliation to describe with any experience the high likelihood of its success or the full range of options available to their patients.

It will come as a surprise to many readers of this book that the vast majority of those who seek help in dying do so not because of present suffering, but to avoid what they project will have to be endured as their disease progresses. In almost all cases, a palliative-care expert has the skills necessary to assure them that the tribulations that they expect, or perhaps those that they have seen others experience, can be prevented.

> Such patients have multiple physical and psychosocial symptoms compounded by a substantial degree of existential distress.... [P]hysicians inadequately equipped to care for those who are dying would substitute physician-assisted suicide for rational, therapeutic, psychological, and social interventions that could

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> enhance the quality of life for dying patients.... When a knowledgeable physician addresses the desperation and suffering that underlie the request for assisted suicide and assures patients that he or she will continue to do so until the end of their lives, most patients change their minds, no longer want to hasten death, and are grateful for the time remaining to them. But at this time only a minority receive such care.

That is the real issue, the problem that must be solved before legislatures and society rush toward measures that only perpetuate the conditions under which the anguish of too many terminally ill people remains unresolved, leading them to believe they have no recourse but to end their unhappy lives. Help is in almost all cases possible, if only patients and their doctors were aware of it.

III.

RATHER THAN AGITATE for more Oregons, proponents of assisted dying would serve the sick far better by pursuing a course of action that would change the culture in which we now treat terminal illness to include better public and professional education in what can nowadays actually be done, and improvements in research to make it even better, and changes to health-care policy introducing reforms to acknowledge and finance the needs of the dying and other at-risk or vulnerable populations.

But, it might be argued, why discourage proponents of assisted dying when we have two great laboratories in which it is being studied, and where the results thus far indicate that the programs being implemented can serve as models of success for the rest of the world? After all, the Dutch have been so pleased with their many years of permitting euthanasia that last month they legalized it. And in our own country, the great fears of a mass migration of would-be suicides along a new Oregon Trail have not materialized, with a total of only ninety patients having availed themselves of the benefits of that state's Death With Dignity Act in the four years of its existence. Surely there is by now plenty of evidence that the concerns of the Foleys and Hendins—that there would be failures of safeguards, deliberate abuses, and slippery slopes—have proven to be unjustified.

Or have they? Hendin, in an exhaustive data-filled chapter whose information comes largely from studies authorized by the government of the Netherlands, presents figures that substantiate the charge made by two Dutch physicians in the *Journal of Medical Ethics* in 1999, that "the so-called strict safeguards laid down by the courts and the Dutch Medical Association ... had largely failed." His conclusion:

> When, as the 1990 and 1995 studies [supported by the Royal Dutch Medical Association and sponsored by the government] document, 59 percent of Dutch physicians do not report their cases of assisted suicide and euthanasia, when more than 50 percent feel free to suggest euthanasia to their patients, and when 25 percent admit to ending patients' lives without the patient's consent, it is clear that terminally ill patients are not adequately protected.

Among the factors from which they are not adequately protected is the heedlessness of their physicians to other possible ways of relieving distress.

Official sanction for assisted suicide and euthanasia interferes with efforts to improve care at the end of life. If the Netherlands is a laboratory for anything, it is surely for this depressing discovery (which is supported, not surprisingly, by the findings from Oregon). Palliative medicine has not progressed nearly as far in that country as it has in most Western nations, and facilities are few, as described in a chapter by Dr. Zbigniew Zylicz, the director of a small Dutch hospice. There, using thorough consultation with family doctors, it has been his experience that "nearly all the patients who initially propose assisted suicide change their minds at a later date when reassured by the demonstration of effective care and the promise of nonabandonment." It will escape no reader's notice that these sick men and women come from the same population pool who are said to demand help in dying as an expression of their self-determination in the permissive atmosphere that has in recent decades been a hallmark of their nation's culture.

BUT, IT MIGHT also be argued, we Americans must certainly be doing better at our own laboratory in Oregon. And that is precisely what I thought—until I read the provocative chapters in *The Case Against Assisted Suicide* that have given me pause in making such an assessment. Impressed with the small number of people who have availed themselves of the law, I had put away my earlier concerns about safeguards that I considered inadequate. Several omissions in the legislation had bothered me: a mandatory requirement for consultation by an expert in palliative care; a mandatory psychiatric consultation (the law requires it only when the attending physician thinks judgment is impaired); a mandatory notification of next of kin. None of these were provisions of the act. But in laying these worries if not entirely to rest, then at least to some ease after several years of watching ORS 127.800-897 in action, I seem to have missed a few things about which Foley and Hendin's book has enlightened me.

It has also enlightened me about my notion—shared with so many other close observers—that, unlike in the Netherlands, the opportunity for detailed study of every case of assisted suicide in Oregon would in fact serve as the laboratory experiment that so many were proclaiming it would be. It seemed a golden opportunity for objective researchers to answer the many questions and to lift the shades of doubt and accusations of clandestine activity that have for so long hung over this issue. It was widely thought that the United States Supreme Court ruling in 1997—that there is no constitutional right to help in dying—would open the way for individual legislation in each state, creating in effect fifty laboratories in which fifty states would approach the problem each in its own way. Oregon would be the first. The pluralistic approach was expected to lead toward an ideal, and idealized, American solution, and a scientifically based one at that.

Well, it turns out that we have no laboratory, not even one. Invoking patient confidentiality, the Oregon Health Department (OHD) does not ask doctors or families for much information about the cases of assisted suicide that are carried out under its jurisdiction. The information that it does possess, which is in the main epidemiological, is not available for inspection by the public, nor is there any provision for independent researchers to study it. Under present circumstances, the Oregon experience cannot be evaluated as would any other innovation in medical practice, with full disclosure and all participants and data made available for review by experts. In fact, a physician with cause to refuse a request for assisted suicide by a patient who later found a willing doctor is legally forbidden to talk about his or her reasons, in the misappropriated name of confidentiality.

That such situations are common is indicated by the figures available: "[I]n six of the fifteen [assisted-suicide] cases in 1998, and in eighteen of the twenty-seven patients for whom the information is available in 1999, the first physician seen by the patient did not agree to assist in the suicide; none of these physicians was contacted by OHD." Worse yet, none of them is free to reveal the reasons for refusal. And to whom did these distraught patients turn when they were refused? Though OHD does not ask this question, it was later determined that eleven of those first

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fifteen patients obtained their legal assent from doctors associated with Compassion in Dying, an advocacy group that moved into the state two weeks after the law was put into effect. Its executive director, Barbara Coombs Lee, has said: "If I get rebuffed by one doctor, I can go to another."

OHD has published periodic reports, but they would hardly satisfy a critical examiner seeking the sorts of clinical details that are of such importance in the evaluation of any new departure from standard medical practices. In an editorial in *The New England Journal of Medicine* in February 2000 commenting on complications described from the Netherlands (a not-insignificant number, including the fact that 18 percent of reported assisted suicides required the intervention of the involved physicians because the attempt was not going as it should), I noted with barely disguised skepticism that neither of two papers from Oregon in the same issue described any complications at all. This seemed strange, since it might be expected that at least some of these terminally ill and perhaps debilitated men and women would be as unsuccessful as many of the Dutch in their attempts to swallow enough pills to bring death, leading in some cases to untoward events such as vomiting or convulsions, which preclude the tranquil death being sought. After reading this book by Foley and Hendin, I find myself wondering what else is going unasked and unsaid—or at least unreported—that is of considerable clinical consequence. Dr. N. Gregory Hamilton, providing anecdotal and other evidence that certain problems are unavailable for public scrutiny, has titled his chapter on these matters "Oregon's Culture of Silence."

And then there is the issue that lurks like an ever-present shadow over every study of assisted death, namely depression. Notoriously difficult for internists and family physicians to diagnose even when there is no organic disease, its complexities magnify as death approaches. Even psychiatrists find it a challenge. Only 6 percent of those surveyed in Oregon felt very confident, absent a long-term relationship, that they could in a single visit determine whether a patient was competent to make a decision about suicide. And yet the law permits just that. The decision whether to request such psychological consultation is in the hands of the physician to whom the request for death is made (with no requirement that this doctor have any previous knowledge of the patient). This means that a doctor who may never before have met the patient in his or her consulting room or at the bedside (not infrequently, as noted above, recruited by Compassion in Dying, a group dedicated to easing the process) is empowered to decide if psychiatric evaluation is required. And even when done, it is likely to consist of no more than the one visit that 94 percent of Oregon psychiatrists believe to be inadequate for making a judgment. OHD's reports indicate that only 19 percent of cases were referred for psychiatric consultation in 2000, down from 31 percent in 1998. In the Netherlands, the figure is 3 percent.

This means that large numbers of people are being assisted to their deaths without anyone even attempting to find out whether the underlying reason for their suffering is a treatable depression. In their chapter of this book, the psychiatrists Harvey Chochinov and Leonard Schwartz, well-known for their extensive studies of this issue, point out that clinical depression "is a highly treatable source of suffering among those who are dying." When the pathological sadness lifts, renewed meaning is found in life, the subjective aspects of suffering diminish, and the last days of the dying individual can be spent in the comforting presence of loved ones.

IV.

So why is a man who is described as "an American euthanasia proponent" (to which I plead guilty, with an explanation) so taken with the arguments of a group of authors whose writings are dedicated to prohibiting physicians from helping their suffering patients die? A part of the answer to this question is inherent in every paragraph of what I have written here. Foley, Hendin, and their colleagues have presented a powerful indictment of physician-assisted suicide and an equally powerful argument that, in all but very few cases, appropriate palliative care will eliminate the reasons for which such requests are made. But it is those "very few cases" about whom, as a bedside clinician for four decades, I worry. I worry about them a great deal.

Again and again in this book, there is the barely noticeable admission that a very small number of people will remain unresponsive to every measure—pharmacological, psychological, sociological, spiritual—directed by the most expert of palliative physicians toward the relief of their anguish. What are we to do for such men and women? Some of them will ask for help in dying. How are we to respond? What is the duty of those of us who are committed to the proposition that the relief of human suffering is an even greater good than is the cure of disease or the prolongation of life?

There is no perfect solution; there may not even be a good solution. Any suggestion or plan will be fraught with uncertainty, with objections from various constituencies, and with difficulties in implementation, not to mention the possibility of error in any individual case. But such is the very nature of caring for the sick that physicians live with far greater uncertainties than this one every day of their professional lives. They often make decisions in the face of an ambiguity that is at times not only clinical but also moral. The field of medical ethics has taken on two sorts of responsibility: to point out directions when they are clear, and to help find the way when they are not clear. It is this latter place, the thicket of doubt and inexactness, in which men and women of good will find themselves in the bioethical conundrums of our time. Help in dying is among the most baffling of them; but this does not mean that we should shrink from trying to find a solution, flawed as it may be, though it is needed only for the minuscule number who cry out for it.

I believe that we should heed their pleas. For those few men and women, it must be required that their repeated requests are made to a physician who has had a long-standing relationship with them; that the consultant chosen by that physician be one whose specialty is in the area of the patient's disease, to be sure that therapeutic options have been exhausted; that, in that grim event, consultation with a palliative-care expert be mandatory, as well as evaluation by a psychiatrist experienced with patients at the end of life. Since I have witnessed situations in which members of the clergy bring spiritual respite to a person tortured by self-doubt, I enter here the suggestion that even unbelievers be offered the consolation such a visit may sometimes bring.

And then there is the matter of those to be left behind by the chosen death of someone they love. I believe such a choice must be defensible to the few people to whom the dying are closest. It is not so much their assent that I would seek, but their understanding that, in the beloved face at which they will soon be looking for the last time, they see the relief that such a decision can bring. To support that decision, it is necessary to agree with it. Principles of individual freedom, respect for the humanity of the dying, and, yes, the reality of the individual's moral autonomy demand that it be honored when other options have been explored, in the ways that I have outlined, and have been found wanting.

By granting the right to be given help in dying, a society is commenting on its values. In fact, it comments on its values each and every time that such a right is exercised. If that is so, then society should affirm each and every such decision. And

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here I offer a suggestion that may seem odd, superfluous, and even antiquated. It is that final consent should be in the hands of a kind of council of elders, people in a community or institution known for their probity, wisdom, and sense of civic responsibility. In some instances, a hospital's bioethics committee could fulfill the purpose, but there might be objection that it serves the interests of the institution. Instead, I would seek out representative members of the community who would convene on the rare occasions when such a thing is necessary. The limits of individual fallibility and the complexities of shared decision-making notwithstanding, such a council might constitute an influential forum deliberating on the moral principles of a period, a place, and a polity of reflective citizens.

For a plan such as this one to have usefulness as a guide for further decision-making, every step of every patient's case must be documented in detail and available for study, as would be the medical record in any other form of clinical research. From time to time, a comprehensive report of the national experience should be made available for public scrutiny, prepared by a panel appointed by a central non-political body such as the Institute of Medicine or the American College of Physicians. Much is yet to be learned.

Should all of this be legislated? Until now, I was convinced that putting matters of such a nature into the hands of politicized officials would be a serious error. I had the perhaps fanciful notion that American medicine and the public might together arrive at a sort of consensus, in which adherents of opposing viewpoints could, realizing that the safeguards in a plan like this would correct the deficiencies of Oregon or the Netherlands, compromise on viewpoints and achieve what might be called common law, the consent of the people. But after reading of all the possibilities for abuse that Foley and Hendin's book describes, I am of two minds. It may be that carefully policed legislation will be the only way to ensure compliance with every element of the plan.

I have twice in this essay noted that the mode of death that I am said by this book to support is euthanasia. The term "assisted suicide" does not appear in the description of my position. And this is as it should be. Not only does common sense indicate that attempts at suicide made by dispirited, very sick people acting without help are prone to ineffectiveness and complications, but such intuition is borne out by the Dutch reports and by published information from elsewhere as well, when physicians were anonymously polled about their personal experience. The fact that the Oregon Health Department does not mention these mishaps should not be taken as evidence that they do not occur.

Physicians who believe that they have a moral and ethical obligation to provide assistance in dying should do so with the same attention to avoiding untoward events as they pay to all other aspects of medical care. It does not suffice to hand a stricken patient a prescription for barbiturates and instructions for how they should be used, and then presume that all will turn out as planned. If the termination of suffering is the physician's aim, there should be certainty that his or her intervention will not add to the affliction that it is meant to relieve. Physicians so inclined should become skilled in the techniques of euthanasia, or, all of the appropriate confirming steps having been taken, make a referral to someone who has mastered the necessary methods.

These are my proposals, and the contributors to this important volume have made me feel more convinced than ever of their validity. I say of their validity, but not necessarily of their correctness in every case. In extreme situations, extreme measures must sometimes be taken, and those who take extreme measures must be prepared not only for the controversy and the criticism that will ensue, but also for the possibility that they may, in individual cases, be in error. My proposals are susceptible to being shot full of holes, but the holes will surely be smaller in size and number than those so appropriately exposed by Kathleen Foley and Herbert Hendin.

If, as Václav Havel says, hope is the conviction that something makes sense, perhaps it makes sense to relieve, in the way I have described, the terminal suffering of that tiny percentage of desperate men and women who are resistant to even the best efforts at palliation. I suppose that statement does indeed make me "an American euthanasia proponent," but I prefer to think that I am a proponent of hope. "Such is hope," Charles Dickens observed in *Nicholas Nickleby*, "Heaven's own gift to struggling mortals; pervading, like some subtle essence from the skies, all things, both good and bad." Pervading even death. ■

The Plantagenet Poet

By ADAM KIRSCH

The Orchards of Syon by Geoffrey Hill

(Counterpoint, 72 pp., $24)

MORE THAN ANY other living poet, Geoffrey Hill enjoys the glamour of centrality. He is a distinctly British poet—born in Worcestershire in 1932, though he now lives in Boston—at a time when most of poetry's vigor has emigrated to Britain's old colonies. More important, he consciously labors to extend the tradition of formal, complex, morally serious English poetry. As a confirmed modernist who treats Christian themes, he inherits both recent and ancient forms of poetic prestige. And he is one of the most distinctive verse stylists of the late twentieth century. By the mid-1990s, having published only five collections in thirty-five years, these qualities had earned Hill superlative praise: "the strongest British poet now alive," "the major achievement of late-twentieth-century British verse."

At the same time, Hill's work to this point—it can be found in *New and Collected Poems, 1952–1992*—inspires serious reservations. Describing it in a few words, at a high level of generality, one could not avoid calling it religious, historical, moral. But if one engages Hill more closely, it begins to seem that he writes about religion, rather than faith; about history, rather than experience; about morality, rather than conscience. That is, he addresses these things abstractly, as themes and subjects, but he does not succeed in making them live.

Consider the first sonnet from Hill's sequence "Lachrimae," in his book *Tenebrae*. That double-barreled Latinity sounds a warning blast; it is the language of medieval Catholicism, and the subtitle alludes to

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the "seven passionate Pavans" of the Elizabethan composer John Dowland. This erudite vestibule prepares the reader for Hill's homage to the Renaissance:

> I cannot turn aside from what I do;
> you cannot turn away from what I am.
> You do not dwell in me nor I in you
>
> however much I pander to your name
> or answer to your lords of revenue,
> surrendering the joys that they condemn.

The repetition and paradox come straight from the English Baroque. Compare, for example, Richard Crashaw's "And He Answered Them Nothing":

> Oh mighty Nothing! unto thee,
> Nothing, we owe all things that be.
> God spake once when he all things made,
> He saved all when he Nothing said.
> The world was made of Nothing then;
> Tis made by Nothing now again.

Crashaw's wit is licensed by surety: the paradox that God created all from nothing is beyond doubt, and so it can be varied, extrapolated, paralleled, without being undermined. But Hill's lines are actually about the absence of surety: the poet and God are severed, no matter how much the poet "panders" to God. And the borrowed language of faith is the height of pandering: Hill uses it to create a sense of continuity with earlier religious poetry, while acknowledging that he is actually denied religious experience.

In theory, Hill's adoption of this idiom for skeptical utterance should move beyond parody to irony, or even to mourning. But I do not think that it succeeds in such an intimate, surprising way; it remains a literary exercise, whose intent can be divined but not felt. And the reason is that the Baroque idiom that Hill parodies no longer has any authority. It is literally something far-fetched, taken from the history of literature, not something that surrounds us, that has the power of the nearmost. To draw attention to the failure of the Baroque sensibility, in writing and in faith, must strike us as arbitrary.

In fact, one could say that the importance of Hill's early poetry is that it demonstrates, unwittingly, the arbitrariness of the authoritative, the eccentricity of the canonical. In 1955 Philip Larkin wrote that "as a guiding principle I believe that every poem must be its own sole freshly created universe, and therefore have no belief in 'tradition' or a common mythkitty or casual allusions in poems to other poems or poets, which I find unpleasantly like the talk of literary understrappers letting you see they know the right people." Four years later Hill published his first book, *For the Unfallen*, which contained the acclaimed poem "Requiem for the Plantagenet Kings":

> They lie; they lie; secure in the decay
> Of blood, blood-marks, crowns hacked
> and coveted,
> Before the scouring fires of trial-day
> Alight on men; before sleeked groin,
> gored head,
> Budge through the clay and gravel,
> and the sea
> Across daubed rock evacuates its dead.

Larkin's statement was deliberately exaggerated, but Hill's poem seems designed to prove his point. For here are the properties of the English Christian past—the kings, the liturgy, the Day of Judgment—carefully combined in sonorous language, yet the effect is faintly preposterous. Does anyone have a genuine feeling about the deaths of kings who reigned seven hundred fifty years ago? Does anyone believe that a poem can or should have the ritual purpose of a requiem? Does anyone expect that on the Day of Judgment the reanimated corpses of King Stephen and King Henry I will burst forth from their tombs? And if not, what is Hill's poem but a cunning diorama, built from the materials of high culture?

As THIS POEM shows, Hill's strengths and weaknesses are inherited from a style associated with New Criticism. In his first book, Hill used an epigraph from a poem by Allen Tate, and he has written that when he was sixteen Tate's "Ode to the Confederate Dead" "struck me like a bolt from heaven; overnight I became a modernist." And the qualities of Tate's verse—the lofty guardedness, the ostentatious ambiguity, the stiffened forms—make up a large part of Hill's early ideal. Tate's way with adjectives was especially influential: Hill, too, enjoys Latin adjectives that call attention to their own deliberateness. Tate's "Ode" has "malignant purity," "verdurous anonymity"; in Hill's first book we find "attested liberties," "abstracted menace."

But Hill's Latinity is darker and more insistent, and he combines it with the gothic, obstructed music of Anglo-Saxon roots and compounds. The height of this style, and the purpose to which Hill puts it, can be seen in the sonnet sequence "Funeral Music," from his second book, *King Log* (1968):

> They bespoke doomsday and they meant
> it by
> God, their curved metal rimming the
> low ridge.
> But few appearances are like this. Once
> Every five hundred years a comet's
> Over-riding stillness might reveal men
> In such array, livid and featureless,
> With England crouched beastwise
> beneath it all.
> "Oh, that old northern business . . ."
> A field
> After battle utters its own sound
> Which is like nothing on earth, but is
> earth.
> Blindly the questing snail, vulnerable
> Mole emerge, blindly we lie down, blindly
> Among carnage the most delicate souls
> Tup in their marriage-blood, gasping
> "Jesus."

This sonnet, the third in the sequence, is exemplary not only for its style—the dense halting rhythm, the violence of sound and image, the archaism—but also for its treatment of history. Hill is describing a battlefield of the Wars of the Roses, and at the head of the sequence stand the names of three noblemen executed for treason in the fifteenth century. But the poem does not treat the battle as a historical event, one in a series of motivated human actions. Instead the battlefield is a still life, a tableau. Hill sees it as the comet might see it, a brief glimpse of "featureless" men arrayed for combat. It is a verbal icon of violence, and what we take from it is primarily the poet's own grim satisfaction in mimicking the carnage.

Nor is it possible to credit the statement of the last two lines as a serious moral reflection. That men continue to procreate after wars, that they use the name of Jesus in sexual passion, is true but not shocking. Or perhaps it is just that this way of putting it cannot shock us, for Hill's cynical disgust is undermined by the extremely literary language. "Tup," for instance, is a word that no one uses today, though some readers will remember it from *Othello* ("an old black ram is tupping your white

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ewe"). The poem has the effect not of communicating or inspiring a moral reaction, but of impressing the reader with its own solemnity.

Solemnity has always been Hill's besetting vice. And solemnity is to seriousness as sentimentality is to feeling: an attempt to will what ought to emerge naturally. What's more, solemnity provokes a kind of resistance—mockery or sheer disbelief—that genuine seriousness never does. It takes courage to realize that such disbelief may be justified, that it demands a genuine self-searching and reform. This is why there is something truly impressive in the stylistic evolution of, say, Yeats or Lowell. Hill, by contrast, long seemed to lack the humility necessary for such a change. Instead he became the Coriolanus of contemporary poetry, proud of his refusal to compromise in his style or subjects.

We see this already in *King Log*, in the poem "An Order of Service":

> Let a man sacrifice himself, concede
> His mortality and have done with it;
> There is no end to that sublime appeal.
>
> In such a light dismiss the unappealing
> Blank of his gaze, hopelessly vigilant,
> Dazzled by renunciation's glare.

"Sublime" must be heard with the superb contempt Hill intends. In fact, he sees it as the opposite of sublime to confess one's mortality, and all the frailties it implies. His own position—vigilant, renunciatory—may be "unappealing" to the base, but the reader can have no doubt about Hill's opinion of its fineness. Yet the word "vigilant" here summons, as if for its own rebuke, Lowell's beautiful phrase about Robert Gould Shaw from "For the Union Dead": "he has an angry wrenlike vigilance." "Wrenlike" is a word that Hill would not use, because it is not solemn; it does not need to be, since the moral heroism of Colonel Shaw is genuine, and can survive the precision of homeliness. Indeed, it is the homeliness that secures the grandeur, and keeps it from floating off into the untrustworthy atmosphere of rhetoric.

Yet all along there were indications that Hill himself was at times dissatisfied with the rigorous artificiality and impersonality of his style. There has always been a vein of ingrown eroticism in his poetry, sometimes interestingly twinned with the religious, as in his imitations of the Spanish baroque:

> Down in the orchard
> I met my death
> under the briar rose
> I lie slain
>
> I was going
> to gather flowers
> my love waited
> among the trees....

The diction is plainer than anything Hill wrote in his own voice, and it gains a stark power by contrast.

But the greatest freedom was found when Hill cast off verse entirely, and wrote the prose poems that make up *Mercian Hymns* (1971). In these short pieces, the voice of the poet remembering his childhood merges with that of King Offa, a figure from England's distant youth. The language and the mood are pleasantly saturnine:

> Candles of gnarled resin, apple-branches, the tacky mistletoe. "Look" they said and again "look." But I ran slowly; the landscape flowed away, back to its source.
>
> In the schoolyard, in the cloakrooms, the children boasted their scars of dried snot; wrists and knees garnished with impetigo.

This has a specificity and humaneness generally absent from Hill's verse. More precisely, it returns the themes of the verse to their origins, and so makes them immensely more credible: the disgusting children with their snot and rashes are a more convincing provocation for Hill's deep-rooted scorn than the tupping gaspers of "Funeral Music." It is not that the Hymns are to be preferred because they "humanize" Hill, make him more lovable or confess his weaknesses; the character we come to know in these poems is still rebarbative and bloody-minded, like King Offa. They are superior as literature because they are less literary, though still steeped in English literary language.

IF HILL HAD stopped writing after *New and Collected Poems*, this is where judgment of his work would have to rest. But no reader of Hill could have predicted, in 1994, that in the next eight years he would publish almost as much work as in the previous forty, that his style would be brutally re-made and the whole shape of his achievement transformed. That is what happened beginning with the publication of *Canaan* in 1996, followed at short intervals by *The Triumph of Love*, *Speech! Speech!*, and now *The Orchards of Syon*.

Though not exactly a sequence, these books share obvious resemblances, and obvious differences from his earlier work. Instead of form and rhyme, Hill employs a ragged free verse; the first person is used throughout; the properties of contemporary life are found for the first time. Most remarkable of all is the tone: pride, erudition, self-reproach, histrionic contempt, and despair are thrown in the reader's face like a challenge. As these words suggest, it is not the case that Hill has become a tamer or more ingratiating poet. But now one can come to grips, as never before, with the kind of poet that he really is.

When *Canaan* appeared, more than a decade after Hill's previous book, it was clearly a departure, but it was not yet clear that it was a transition. In many of the poems, the verse was starved and narrowed, words sliding erratically down the page: common enough in modern poetry, but a far cry from Hill's usual sonnets and quatrains. There was also a deliberate indeterminacy in many poems, a sense that Hill had left out or deleted too much. This, along with the grandiose titles ("Whether Moral Virtue Comes by Habituation"), spoiled several of the poems in the book, and it is still the most inconsistent collection Hill has published.

Elsewhere in *Canaan*, however, we can see with hindsight that Hill was trying on a new voice. Briefly, he was learning to rant:

> Who shall endure? What force throws off
> the verdict of each day's
> idle and taunting honours,
> the lottery, the trade in grief,
> the outrageous quittance, the shiftless
> orders of fools?

This is from the poem "To William Cobbett: In Absentia," but one feels that Cobbett is less its subject than its excuse. Elsewhere, the figure of Stefan George inspires a less Shakespearean rhetoric:

> Contempt is in order: one
> would give much
> to see those Frankish
> rites nobly concluded.
>
> Almost, for Childe Stauffenberg,
> it fell so;
> but this was tragedy
> botched, unimagined,
>
> within that circle.
> Medallion-profile
> of hauteur,
> Caesarian abstinence!

"Childe Stauffenberg" is Hill's arch name for the aristocratic German officer, a disciple of George, who tried to assassinate Hitler in 1944. "De Jure Belli ac Pacis," another sequence in the book, praises another of the so-called Kreisau conspirators, Hans-Bernd von Haeften. He is a figure of inevitable appeal for Hill because he opposed fascism, not out of love for democracy, but out of noble pride and

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Christian principle. This allows Hill to hold him up as a chastisement of the corrupt present:

> To the high-minded
> base-metal forgers of this common
> Europe,
> community of parody, you stand ec-
> centric as a prophet. There is no better
> vision that I can summon: you were
> upheld
> on the strong wings of the Psalms before
> you died.

Beyond the poems addressed to or inspired by such heroes, there is a series of prophetic-denunciatory addresses "To the High Court of Parliament," in which minor British scandals of the 1990s call forth rhapsodies of Elizabethan insult: "proud tribunes, place-men, shape-shifting nabobs," and so on. Cumulatively, these poems do not advance a coherent political or ethical vision. They are united only by a tone of voice, a pitch of superb complaint in which Hill delights. And they have the odd effect of casting doubt, retrospectively, on the religious and historical subjects of Hill's earlier work. It becomes clear that Hill has never really investigated them, listening to and abiding by their demands; he has remade them in his own image, and plundered them for objective correlatives of his choler and his spleen.

This in itself is not an objection—after all, it is a familiar Modernist principle that the only permanent subject for poetry is inner experience, which casts about for symbols in which to express itself. But the necessary implication is that such correlatives must be treated ironically—there must be some recognition that they are functional and provisional, rather than absolute. And Hill's refusal of this irony—his solemn insistence on taking over the paraphernalia of English Christian tradition as though it were still authoritative—is what provokes such resistance in the reader.

If we cannot credit a requiem for Plantagenet kings, however, we can credit a man so dissatisfied by the world that he feels compelled to chastise it with exempla. And that is just what we find in Hill's next book, *The Triumph of Love* (1998). The poem is a sequence of one hundred fifty free-verse sections, varying in length, that might be characterized as internal dialogue: Hill argues, expostulates, reverses himself, explains, and justifies. It is as though, after spending years admiring the wares in Hill's showroom, we are being allowed into his workshop. The forge is stoked by anger—at the ingratitude of the younger generation:

> By what right did Keyes, or my cousin's
> Lancaster, or the trapped below-decks
> watch
> of Peter's clangorous old destroyer-escort,
> serve to enfranchise these strange
> children
> pitiless in their ignorance and contempt?

And at the mass murders of the twentieth century:

> Each sensate corpse, in its fatal
> mass-solitariness, excites
> multiples of infliction. A particular
> dull yard on a dull, smoky day. This,
> and this,
> the unique face, indistinguishable,
> this, these,
> choked in a cess-pit of smoking Sheol.

And at a degrading, addictive mass culture:

> Entertainment overkill: that amplifier
> acts as the brain of the putsch. The old
> elixir-salesmen had no such entourage
> though their product was superior. . . .

Significantly, Hill no longer owns a historical, philosophical, or religious position from which the present might be judged. Having forsworn secular rationality, he is left with the fragments of an incredible theology, along with a worship for art. These fragments he is left to shore against ruinous modernity:

> But the Psalms—they remain; and
> certain exultant
> canzoni of repentance, secular
> oppugnancy. . . .
> And if not wisdom, then something
> that approaches it nearly. And if not faith,
> then something through which it is
> made possible
> to give credence—if only to Isaiah's
> prophetically
> suffering servant. . . .

The evasion of that last sentence is noteworthy: Hill seeks not faith, but something through which one might possibly credit the prophet Isaiah—as one credits a fictional character, perhaps.

This is a hedged relativism: the poem praises "the Church of Wesley, Newman, and George Bell," teachers of three incompatible interpretations of Christianity, because it does not fundamentally believe that such points of doctrine are important. Similarly, Hill's decision to print the book's Biblical epigraph in four languages—Old Testament Hebrew, Vulgate Latin, Luther's German, and King James English—shows that he treats it not as a divine utterance but as a venerable item of Western culture, accumulating prestige as it travels. The operative categories are not orthodoxy and heresy, but civilization and barbarism.

When he acknowledges this, Hill is able to be much more honest about the real sources of his anger. It is not just a result, but a cause:

> Is prayer
> residual in imprecation? only
> as we equivocate. When I examine
> my soul's heart's blood I find it the blood
> of bulls and goats.

Such introspection, new in Hill's work, provides the poem's most touching and vital moments. Most remarkable of all is the admission made in section 109:

> Since when has our ultimate reprobation
> turned (*oculos tuos ad nos con-*
> *verte*) on the conversion or
> reconversion of brain chemicals—
> The taking up of serotonin? I
> must confess to receiving the latest
> elements, *Vergine bella*, as a signal
> mystery, mercy, of these latter days.

As Hill has confirmed in interviews, this means that he began in the mid-1990s to take anti-depressant medication. It is impossible not to connect this fact with the simultaneous revolution in his style. And the question posed here is a very profound one: if misery and happiness are a function of serotonin levels, what becomes of our intellectual pride and our metaphysical cures? For once, Hill's habitual punning carries a genuine shock: instead of religious conversion, we are left with chemical conversion; instead of Mary's Assumption, the "taking up" of a drug.

Yet *The Triumph of Love* does not find a way to integrate this shock into its lingering religious hope, or its eloquent denunciation. The poem remains a vexing mixture of self-righteousness, self-knowledge, and self-pity, which—like the *Cantos* that are an obvious inspiration—finally fails to cohere. Fittingly, when Hill urges himself toward a Christian affirmation, his self-exhortation—"*Lauda? Lauda Sion? LAUDA!*"— is immediately followed by doubt: "Incantation or incontinence—the lyric cry?"

In his next book, *Speech! Speech!* (2000), Hill allows incontinence the upper hand. Formally, the book is more regular than *The Triumph of Love*: one hundred twenty sections of twelve lines each. But the frequency of self-interruption and the obscurity of allusion are far greater, and often make it impossible to say what Hill means on the most basic level:

> Ruin smell of cat's urine with a small gin.
> Develop the anagram—care to go psychic?
> Psych a new age, the same old dizzy spell.

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Force-field of breakdown near the edge.
Nów
to work | backwards nót like breaking
down.
Seek modem-demo, memos to dawn-
broker,
duty-savant. CODEBREAKERS our
salvation.

Codebreakers, indeed. Matters are not helped by the profusion of Hopkinsian accent marks, which indicate a concern for the correct pronunciation of the verse far in excess of the concern for comprehension. At one point Hill asks us to remember how "Shakespeare's elliptical/late syntax renders clear the occlusions," but if he is suggesting that the same is true of *Speech! Speech!*, it is hard to agree. Still, the poem will no doubt attract annotators: again like Pound, Hill writes as though confident of help from posterity.

In the meantime certain themes emerge with sufficient clarity. These poems were written in the late 1990s, and events of the period turn up in sometimes baffling notation: the Clinton impeachment ("rum place for a cigar, *Herr Präsident*"), the mad cow epidemic ("beef of Old England's off"). Most surprising, we find the death of Princess Diana and the subsequent public mourning, which one might expect Hill to have great fun denouncing as a piece of media-concocted idiocy. But while he refers to the "outraged/hardly forgiven mourning of the PEOPLE," he seems inclined to mourn himself:

When all else fails CORINTHIANS
will be read
by a man in too-tight shoes. No matter.
You
shall not degrade or debauch the word
LOVE
beyond redemption. As she redeems it.
Six times this trip I have brought round
my wreath
to the vulgar gates.

Hill is torn between admiration for Diana as a national cult figure, a kind of saint, and disgust at the masses who worship her. For another major theme of the book is mockery of the PEOPLE (as Hill writes it). The cover reproduces a Daumier lithograph of an audience of gaping fools, and that spirit—not just satire, but hatred and ridicule—dominates the book. (It has one hundred twenty sections, we are told, "as many as the days that were of SODOM.") Hill invokes Daumier as his tutelary spirit:

Onto these near-Stygian sets | the
PEOPLE
enters and is discovered: courtesy
Balzac, courtesy Honoré Daumier. . . .
Could keep this úp all night
rigid with *joie de vivre*.

That manic rigidity is the dominant tone of *Speech! Speech!*: the sense that the poet is relieving some urgent private compulsion, as the reader overhears. Most of the time, the book reads like a violent, hermetic reprise of themes from *The Triumph of Love*. The exceptions are those moments when Hill reflects on old age and the approach of death:

. . . go to the door. The threshold-angels
will soon come calling. Those with the
gifts
have long since been and gone. You were
asleep.

This quiet image of self-reproach stays with the reader much longer than the trumpet-blasts of insult.

So, too, when Hill fetches an image of ultimate content from unlovely nature:

A pale full sun, draining its winter light,
illuminates the bracken and the bracken-
coloured
leaves of stubborn oak. Intermittently
the wínd spoórs | over sált ínlets
and the whiteish grass between the zones,
apprehension's covenant. Could this
perhaps end here: a *Paradiso*
not accounted for—unaccountable—
eternally in prospect. . . .

This sort of *Paradiso*—unenchanted, even un-Christian—has not previously been accounted for in Hill's work, except at moments in the *Mercian Hymns*. By allowing this vision of winter sunlight to suggest Paradise, Hill also suggests that maybe Paradise was never anything more than this, an illumination that "ends here," in this world. This dialectic is an inevitable part of modern encounters with the divine, and only by incorporating it—as Adam Zagajewski does, and as Hill has begun to do—can the divine be made credible in poetry.

THE ORCHARDS OF SYON, Hill's latest book-length sequence, is founded on this late-won insight. Of the four books that make up "late Hill" (so far), it is by far the most reflective and lyrical. There are seventy-two sections this time, with twenty-four lines apiece, twice as many as in *Speech!*, and the book has a corresponding leisure. The basic technique is the same: internal monologue, often cryptic. There are moments of Hill's familiar bombast ("Anarchy coheres. Incoherence coheres. Stupor animates. Chaos ordains"). But its task is reconciliation and praise, rather than punishment.

This would have been a dangerous trap for Hill in years past, since, as readers of Dante usually find, an orthodox Heaven is far less credible today than an orthodox Hell. To evoke paradise in the rhetoric of "Lachrimae" would have been ruinous. But rather than urging upon himself, and the reader, a spurious transcendence—the "*Lauda Sion*" of *The Triumph of Love*—Hill allows his Orchards of Syon to remain a tentative symbol of a tentative consummation.

The Orchards signify heavenly beauty, but they are not always distinguishable from the earthly beauty Hill names Goldengrove, after Hopkins's poem "Spring and Fall," in which the word betokens transience and mortality. The Orchards of Syon are Goldengrove's cast shadow:

Goldengrove, even as these senses fall
and die in your yellow grass, your
landscape
of deep disquiet, calm in its forms:
the Orchards
of Syon, sway-backed with pear and
apple,
the plum, in spring and autumn
resplendent.

Such moments of splendor illuminate the poem, in two senses: they provide its lyrical beauty, and they make sense of its metaphysics.

Hill has always written well about nature, but now he seems to found his whole spiritual ideal on nature's revelations:

Mortal beauty is alienation; or not,
as I see it. The rest passagework,
settled beforehand, variable, to be lived
through
as far as one can, with uncertain
tenure.

This echoes, no doubt deliberately, Eliot's "waste sad time, stretching before and after" a few moments of transcendence. It is a far more satisfactory grounding for belief than any dogma, since it builds on an experience of undoubted validity—joy in the self-giving of nature. If such "mortal beauty" is not alienation, then it must be communication, a token of the Creator's presence and goodness, like the Biblical rainbow:

The sun, the sudden
prism, rediscover their own time,
whenever that is; bending to our level
they lift us up. . . .
I, at best,
conjecture divination. The rainbow's
appearance covenants with reality.

Yet Hill does not insist on turning the rainbow into a covenant, or Goldengrove into Syon. Rather, he allows them to echo

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and blend into one another. Indeed, there is less irritable reaching after fact and reason than ever before in Hill, and the poetry benefits from the change. The modulation of tone in section forty-three demonstrates the gain:

> Range
> how you will, anger, despair, are inbred
> monsters: Nebuchadnezzar's crawlingly
> bitter egress to gnaw grass; Cain's brood
> busy at Heorot. Such startings-up,
> slouchings, of self-hatred: a sullen
> belch from the ice-maker in the small
> hours.

Nebuchadnezzar and Cain are Biblical properties of the kind Hill has been using for forty years, items borrowed from the myth-kitty. But the nighttime belch as the ice-maker starts up again is a genuine poetic metaphor: surprising, accurate, closely observed.

This is Hill making poetry of the nearmost, as he too seldom did in the past, and it is the kind of image one does not forget. So, too, is the heart that "leaps fattily, apes a sexual motion / as if copulating with itself"; and the bad conscience that moves "forward, backward, across, / like a metal detector." Such moments make *The Orchards of Syon* the most appealing book of Hill's since *Mercian Hymns*. Readers familiar with his fifty years of labor will be the most appreciative of its earned simplicity, which allows him his best image yet of grace:

> I've recast
> my furthest revelation; it's as much
> as you have witnessed, much as I have
> told:
> a massive, shedding, insubstantial
> substance
> blurred and refocused, blurred afresh
> by rain. ■

Above and Below

By JENNA WEISSMAN JOSELIT

Unearthing Gotham: The Archaeology of New York City by Anne-Marie Cantwell and Diana di Zerega Wall

(Yale University Press, 374 pp., $39.95)

Celluloid Skyline: New York and the Movies by James Sanders

(Alfred A. Knopf, 497 pp., $45)

Manhattan Unfurled by Matteo Pericoli

(Random House, 60 pp., $29.95)

THESE DAYS GOTHAM is on everyone's mind, and not only for morbid post-September reasons. The stuff of newspaper headlines and television punditry, cocktail-party patter, college courses, and academic symposia, New York City, circa 2001–2002, clamors for attention. Like everyone else I fall in line, reading everything I can lay my hands on and jotting down notes; I am even compiling a scrapbook, something I have not done since I was a small girl. But what keeps reverberating in my head, heightening my sense of New York's old and newfound preciousness, is not the collective wisdom of our contemporary sages, but the lyrics to a song written in 1933 by Richard Rodgers and Lorenz Hart. "I've gotta get back to New York," goes the standard, whose pep and buoyancy can break your heart. "I'll climb up the Woolworth and kiss every floor / The subway makes music for me with its roar / I'm dying to feel that I'm living once more / I've gotta get back to New York." These days New York is itself busy getting back to New York.

The song, first heard in a United Artists flop of a film called *Hallelujah, I'm a Bum*, starring Al Jolson, gives voice to the city's magnetic pull, locating it in New York's most conspicuous characteristic: its verticality. By the time the film was made, towering structures such as the Woolworth Building had begun to dominate the cityscape. Reaching for the heavens—scraping the sky, it was said—they changed the face of Manhattan and so much else besides. A testament to capitalism, the 792-foot Woolworth Building, for a time the world's tallest structure, was known throughout town as its "cathedral of commerce." With twenty-eight high-speed elevators or "vertical streets," a sky-high promenade, and a marble-lined swimming pool, the "Queen of the skyline" epitomized the modern world—and its promise.

New York's celebrated verticality extended downward, too. Fifteen to twenty feet beneath the surface of the street lay the subway, and it dramatically redefined the nature of the urban experience. If nothing else, it transformed New Yorkers, wrote the *Utica Saturday Globe* in 1904, into "human prairie dogs" who would descend in one place and invariably pop up in another. More than the sum of its underground tunnels and electrified tracks, the subway—which was opened in 1904—made it possible for large numbers of New Yorkers to live in one part of town and to work in another part of town. It also made speed an indispensable accessory of modern life, and introduced notions such as "rush hour" and "express" into America's daily vocabulary.

A marvel of early-twentieth-century technology, New York's underground turned out to be a marvel of social engineering as well. In hundreds of white-tiled stations throughout the city, notable for their "fine finish and cheeriness" (or so guidebooks to New York related in 1905), factory workers stood shoulder to shoulder with bank clerks as they waited for the IRT or the BMT during the morning and evening commute. Once inside the trains with their rattan-covered seats, Italian-speakers balancing *Il Progresso* on their laps sat side by side with readers of *The New York Times* and the *Jewish Daily Forward*. More noticeably still, men and women, hitherto segregated as much by space as by gender, were now thrown together on a regular basis, prompting some disgruntled New Yorkers to allow as how

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the city was being "invaded" by members of the gentler sex. As much an experiment in democracy as a speedy, affordable means of transportation, the subway transformed the Big Apple into a metropolis.

Up or down, the city's verticality was widely understood to be synonymous with modernity, with progress, with looking forward. Until the wanton destruction of the World Trade Center made a cruel mockery of these associations, transforming verticality from an article of faith into an emblem of vulnerability and a symbol of despair, most New Yorkers delighted in the power and the élan of their tall buildings. "All hail to the New York which comes into being to-day," trilled *The New York Sun* at the turn of the century as the modern city began to take shape. It had the potential to be the "foremost capital of the world in population, in wealth, and in commercial and financial power.... All hail the imperial city!" And yet all that verticality came at a cost. Its price was nothing less than the erasure of history.

THE CONTINUOUS PRESS of building, of churning up the earth, of tearing down the old to make way for the new, made for an exciting city, but one with scant vestiges of the past. Where Rome has its Colosseum, New York, the "Imperial City," is left with odds and ends, bits and pieces: china teacups, vials of medicine, pipes from colonial New York, caches of prehistoric flints. In an unusual display of archaeological alchemy, these bits and pieces come alive in the pages of Anne-Marie Cantwell and Diana diZerega Wall's forceful book, which proposes to reframe the way we think about archaeology and, by extension, about New York itself.

Prior to September 11, most people found it "hard to think of archaeology in the context of New York," Cantwell and Wall point out. "Both archaeology and the past are things that happen elsewhere." (Now, of course, we can think of little else: what is Ground Zero, after all, if not one vast and hellish archaeological excavation?) Customarily associated with ancient ruins, archaeology is seldom thought of in connection with the modern metropolis. But Wall and Cantwell hope to change all that. Envisioning the five boroughs of New York as one vast site, they seek to recover its eleven-thousand-year-old "human history." An ambitious undertaking, to say the least, the book covers a great deal of ground, literally and chronologically. It moves across huge swaths of time, from 11,000 B.C.E. to 1990 C.E., making a point of paying considerable attention to those whose lives, as Cantwell and Wall put it, have been "forgotten or ignored in the written record."

Toward that end, the longest section by far is devoted to an extremely detailed, often plodding account of the "long Native American occupation," where we learn, many of us for the very first time, of such things as atlatls, clovis points, spokeshaves, and stone gorgets. When the book turns its attention first to the colonial and post-Revolutionary era and then to the nineteenth-century city, the pace picks up a bit. Here we are on more familiar ground: brothels, taverns, outhouses—and written texts. Digging in lower Manhattan, in an area known as Five Points, where today several of the city's most imposing courthouses cluster together, archaeologists recently discovered a profusion of bottles: perfume bottles, wine bottles, and a bottle of Bristol's Extract of Sarsaparilla, a popular nineteenth-century nostrum for venereal disease. Their curiosity aroused by this oddly companionable assortment of things, they turned to the documentary record—to real estate and census data—and found that the site in question was once a house of prostitution. Eureka! In this instance, as in so many others happily chronicled by Cantwell and Wall, texts and objects are natural allies when it comes to making sense of the past.

The book culminates in a chapter devoted to the much-talked-about excavation of the African Burial Ground, also in lower Manhattan, a block north of City Hall Park. In use for much of the eighteenth century only to be subsequently blanketed by landfill, the "Negros Burial Ground," as a 1755 map referred to it, came to life again in the 1990s when plans for constructing a $276 million federal office building were put into effect. Archaeologists, hired by the General Services Administration to make sure that the new complex would not adversely affect its surroundings, uncovered several hundred burials, bringing construction to a standstill. In the meantime a number of African American community groups wanted to stop the excavations altogether.

Some worried lest the bodies of the deceased be desecrated or, as they put it, "discriminated against in death" as they had been in life; others feared that the claims of science would take precedence over the "spiritual aspects of the site." In the end, after considerable to-ing and fro-ing, the GSA got to put up its building (but on a slightly different parcel of land than originally earmarked), while the archaeologists learned a lesson about the politics of their field, and also a great deal about African American burial practice, particularly its similarities with age-old African funerary ritual. Finally the African Burial Ground was designated a National Historic Landmark.

Despite a tendency to get bogged down in detail, the bigger story that Cantwell and Wall tell—the thrill of discovery—is almost as exciting as the tale of King Tut's tomb or the Dead Sea Scrolls. Much like Lord Carnarvon (or Indiana Jones, for that matter), New York's archaeologists needed all the pluck, derring-do, and steadfastness that they could muster. Instead of sandstorms and snakes, they faced down concrete mixers and snarling contractors. But in their race against time and overweening officials, and in their zeal to protect, these folks were very much one with their legendary counterparts.

A mix of professionally trained and weekend archaeologists (Cantwell and Wall prefer to call them "avocational archaeologists"), their ranks included Long Island farmers such as Roy Latham and engineers such as Reginald Pelham Bolton; the Staten Island resident Albert Anderson and his eleven-year-old son, Robert; and NYU Professor Bert Salwen. Some worked on their own; others worked for the New York State Museum and Science Service Bureau. In many instances, their efforts went unnoticed and unheralded—until now. In an honorable act of homage, this book brings these dedicated diggers to light as much as it does the ancient animal bones, shell heaps, and toy tea sets they had excavated years before.

Ultimately, Cantwell and Wall's book is at once a cautionary tale and a manifesto. Layering example upon example, it reminds us of our all too tenuous relationship to the past and exhorts us to do better. In its insistence that archaeology is no "academic exercise" but a vital social project, this important book encourages us to be mindful of our patrimony before it literally turns to dust.

ALL THE SAME, much of what we know about New York comes from Hollywood. The setting as well as the subject of hundreds of films, from D.W. Griffith's *The Romance of a Jewess* in 1908 to *West Side Story* more than fifty years later, the Empire City has fascinated generations of moviemakers. From its inception in the 1890s, the film industry made much of New York, the quintessential "movie city." Actors dangled from its rooftops, danced across its bridges, swooned in spectacular penthouse apartments, and leaped from tall buildings. More to the point, New York City gave birth to the American cinema. "This new thing, moving pictures, was just being born—right here, around the corner, down the street. Herald Square itself was the center of a whirlwind of an invention that was bringing a whole new medium into the world."

This and other observations, along with a wealth of images and a detailed filmog-

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raphy, can be found in James Sanders's engaging book, which is as big and shiny as its subject, and with snappy prose to match. It chronicles Hollywood's long-standing romance with the "mythic city" of New York. What animates Sanders is the process by which the movies brought that mythic city into being. Drawing on blueprints and drawings, set reference stills and research notes, as well as on wonderfully evocative photographs of Hollywood's fabled back lots and sound stages, *Celluloid Skyline* introduces the reader to the "world of film production," in which facsimiles of New York City streets, fashioned out of plaster and wood, took root in sunny Los Angeles, and skyscrapers were fabricated out of whole cloth.

Two-thirds of the book is given over to an exploration of how film-makers made use of New York's distinctive topography, its skyscrapers and its subways, its penthouse apartments and its tenements, its waterfront and its backyards. Taking us behind the scenes, *Celluloid Skyline* relates, for instance, how Alfred Hitchcock and his art director, Joseph "Mac" Johnson, came up with their celebrated courtyard design for *Rear Window*, which they based on the kind of shared urban spaces once commonly found in Greenwich Village. One of the biggest sets on the Paramount lot, it cost $100,000 to build. With its fifty windows, thirty-one individual apartments (each separately wired), and three thousand lights, plus assorted fire escapes, terraces, and gardens, the set, writes Sanders, was a virtual "primer in urbanism."

While much of this is fascinating and entertaining, *Celluloid Skyline* is at its best when it recounts the early history of the film industry in New York. Lugging cameras that weighed a quarter of a ton, film-makers at the turn of the century, many of them employed by Thomas Edison or his rival, American Mutoscope and Biograph, made the city their subject. They trained their sights and their cameras on the excavation of the subway, the construction of tall buildings, and "East Side Urchins Bathing in a Fountain," as the title of one such two-minute, plotless film would have it. Between 1896 and 1906, hundreds of these films—"actualities," they were called—were made.

A few years later, film-makers discovered the medium's affinity for storytelling. That, and the invention of a swiveling tripod head, made possible a more expansive kind of film-making, prompting D. W. Griffith to make *The Romance of a Jewess*, a movie that boasted of its location: "Several scenes are decidedly interesting in the fact that they were actually taken in the thickly settled Hebrew quarters of New York City." Later still, the talkies sounded the death knell for New York. Actors simply could not compete with the noises of the city; jackhammers, sirens, and the sounds of traffic drowned them out.

Reluctantly, the nascent film industry relocated to Hollywood—where, magically, every major studio recreated one or another feature of New York on its back lot. MGM replicated Pennsylvania Station's waiting room. Not to be outdone, RKO in turn maintained a standing set of Grand Central Station, while Paramount reconstructed five city blocks in their entirety. "If shooting the real city was impossible," Sanders explains, "Hollywood would simply rebuild New York." No detail, from the shape of a lamppost and the stripes on an awning to the texture of a cobbled street, escaped Paramount's notice—or, more precisely, the notice of its increasingly powerful art department.

In the years following World War II, film-makers returned to the city. The war, observed cinematographer John Alton, "rocked Hollywood out of its old-fashioned ideas," prompting a resurgence of interest in realism and with it a renewed interest in shooting on location, in New York itself rather than on some storied back lot. Technology, in the form of directional microphones and portable photo-flood lamps, made that possible. *The Naked City*, produced in 1948, was the first in a long succession of films (*On the Town*, *On the Waterfront*, and *Mean Streets* among them) to be produced on-site. *The Naked City* is a "bit different from most films you've ever seen," producer Mark Hellinger reassured audiences in a voice-over introduction. "This is the story of a number of people, and a story also of the city itself. It was not photographed in the studio. Quite the contrary. The actors played out their roles on the streets, in the apartment houses, in the skyscrapers of New York itself. And along with them, a great many thousand New Yorkers played out their roles also. This is the city as it is."

Movie-making had returned to its urban roots. In its enthusiasm for its subject, Sanders's book seems to tell us virtually everything there is to know about Hollywood's long-standing relationship with the Empire City. Cramming a great deal of information onto its pages, it tends occasionally to sacrifice depth for comprehensiveness, sustained analysis for the telling detail or amusing anecdote. Even so, we come away from this book grateful to its author for heightening our understanding of how the fabled and filmic New York has stolen our imagination.

NOT LEAST FOR that reason, it is important to remember that New York is as much a messy, real-life city as a mythic, romantic one. Matteo Pericoli's beautiful *Manhattan Unfurled* vividly reminds us of this. Over the course of several months, the author-illustrator made his way by foot, motorbike, and Circle Line boat from the tip of Manhattan to its top, taking photographs and making sketches. Returning to a desk in his bedroom, he drew a series of pen-and-ink line drawings—six or seven blocks at a time—on two separate sheets of architectural paper, one depicting the West Side of Manhattan and the other the East Side. Each individual "Manhattanorama" measured thirty-seven feet.

Deftly rendered in sturdy little strokes, Pericoli's Manhattan was then dramatically reduced in scale to accommodate the pages of a book. What had been one long undulating wave of imagery has been condensed into twenty-two inches of cityscape that uncurl, section by section, neighborhood by neighborhood, allowing a peek here and a peek there. It is also possible to unfurl the entire thing, and in one fell swoop Manhattan is laid out before you. The effect is genuinely magical. Pericoli takes his cue from the *veduta*, or scenic view, which in mid-nineteenth-century America became so popular a medium that specially designed circular spaces called rotundas were built to contain both the panoramas and the crowds who came for a look-see. His panorama of New York consists of a series of densely figured yet humanly scaled vistas. Short and stumpy warehouses bump up against sleek skyscrapers, dignified brownstones abut stone-faced factories, and lacy bridges span the horizon, while the towers of the World Trade Center stand tall, like sentinels. At times, he even gives geography a gentle nudge, placing buildings a shade closer to one another than they really are in an attempt to heighten their cumulative effect as they hug the shoreline. Both true to life and an exercise in whimsy, *Manhattan Unfurled* enables us to read the city—visually, that is. Trafficking in strokes of the pen rather than words, its pleasures are those of the eye, not of the intellect.

That said, the real power of *Manhattan Unfurled*, like the real power of Manhattan, lies less in its considerable artistry and more in its sense of the collective: in the piling up and jumble of buildings, in the intimacy of its architecture, we see the plenitude of the urban experience, the sublime and maddening varieties of the people who inhabit it. It is to that New York, the polyglot New York densely filled with all manner of folk, to which so many of us, time and again, return. Yes, the Woolworth Building is swell, penthouses are even sweller, and the subways do get us where we need to go. But in the end the swellest thing about New York is its supreme and utterly unmanageable humanity. ■

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CAMBRIDGE DIARIST

Good Fight

IT MAY SURPRISE SOME READERS to learn that I strongly support a U.N. investigation into the violence in Jenin. Just not an investigation into what the Israeli Defense Forces did in Jenin. Rather, what the United Nations needs is an *internal* investigation: What role did the United Nations Relief and Works Agency (UNRWA)—which for years has presided over Palestinian refugee camps in Jenin and elsewhere—play in allowing those camps to turn into terrorist havens complete with militias and weapons factories? When relief agencies allowed the refugee camps in eastern Congo to be taken over by the Hutu militias that had carried out the 1994 genocide in Rwanda, human rights types were outraged. But in Jenin the U.N.'s complicity with terrorism seems not to bother anyone at all. And that complicity is of more than theoretical interest. After all, surely the Palestinians didn't think they could go on making and exploding bombs indefinitely. If the United Nations had policed its own turf, Ariel Sharon might not have had to.

IN THE MAY 12 EDITION OF *THE New York Times Magazine*, the respected war correspondent Scott Anderson (see David Rieff's review of his *The Man Who Tried to Save the World*, TNR, September 13 & 20, 1999) offers a gorgeously written account of his week with the Palsar Tzanhanim—an elite unit of Israeli paratrooper reconnaissance commandos, mostly reservists. In search of Palestinian terrorists, the unit was stationed in the West Bank village of Atil. The platoon commandeered a house with a view of the surrounding terrain. "Within minutes of their arrival, they roll up the family's better carpets, moving them, along with various breakable objects, to one corner of the upstairs sitting room. There are chickens in the small backyard, and one soldier is given the task of making sure they are regularly fed and watered. By longstanding policy, nothing of the family's is to be used—not the onions sitting on the kitchen sill or the soap in the bathroom—and on the day [they] leave, a cleanup crew will give the house a quick scrubbing, perhaps even leave behind a bit of money to the compensate the family for the inconvenience. Such are the tactics and considerations of this peculiar war." At least, these are the tactics of the Israelis in this peculiar war.

ANDERSON RELATES TWO ESPECIALLY eerie episodes. In one, the commandos take over a Palestinian house in which they suspect a certain terrorist is hiding. They rouse the father and instruct him to bring everyone outside, and he returns with eight or nine individuals, mostly children. The terrorist is not among them. "'You understand that if we find anyone else inside we're going to shoot them,' [Yaron] Ishai, the deputy commander, explains. The man nods, 'Everyone is out.'" But it turns out that not everyone is out. Searching the house, "Ishai suddenly spots a figure moving in the dark . . . but then hesitates for a fraction of a second. It is long enough for him to realize that the figure is not a gunman, but a young child," an eight- or nine-year-old boy.

IN THE SECOND ANECDOTE, A THIRTY-something Palestinian openly approaches the house the unit has adopted as its base. He is easily spotted but does not obey orders shouted at him in Arabic. Is he a suicide bomber? Bait for an ambush? Waiting yields no evidence of anything. Finally a soldier, his movements followed by trained rifles inside, "walks toward the man . . . and quickly lifts him off the ground and body-slams him to the street." Anderson concludes, "Most any other army in the world, faced with the very real threat of suicide bombers, would probably have simply shot the man in the street—just as most any other army would have shot the boy in the house the night before—but even in the heat of the moment the Palsars hesitated."

JUST ABOUT 20 YEARS AGO I WROTE, to some ridicule, about the Israeli—actually, early Zionist—military doctrine called *tohar haneshek*, rendered literally in English as "purity of arms" ("Lebanon Eyewitness," TNR, August 2, 1982). It is a doctrine of self-constraint: Everything reasonable must be done to avoid harming civilians, even if that entails additional risks to Israeli soldiers. The doctrine still holds. A few weeks ago I spoke at a conference on war crimes and just wars sponsored by The New School. The panel was asked about Jenin, and Richard Holbrooke, who knows about these things, observed that the Israeli military is probably more fastidious about moral constraints than is our own. So it is one of the more Orwellian features of today's world that it is precisely this army (and practically no other) that provokes the ire of Kofi Annan, the Vatican, and the great plenipotentiaries of Europe. And now that fundamentalist Muslim terror is afflicting Europeans as well (witness the bus bombing that killed eleven French citizens on May 8 in Pakistan and the 42 Russians murdered by a terrorist bomb in Kaspisk, Dagestan, one day later), the world will see how scrupulously European armies react to terror against their citizens. Suffice it to say that if Anderson had spent a week with a Russian unit in Chechnya, I suspect he'd have written a very different story.

IT WAS BOUND TO HAPPEN: CAMpaigns at a few American universities to divest from companies (like General Electric, IBM, Intel, and Merck) that do business with Israel. It started at Princeton and has now spread to Harvard and MIT. It's not exactly a mass movement: I caught a clip of the joint Harvard-MIT "teach-in" on FOX NEWS, and it showed no more than a hundred students. And the signatories (most of whom oppose capitalism itself and are therefore presumably in favor of divestment almost anywhere) tell you just about everything you need to know about this laughable venture. At Princeton the most well known are the manicured, exquisitely tailored Luxembourgeois neo-Marxist historian Arno Mayer, whose published preference for Lenin over Wilson and Stalin over Churchill may explain his current affection for Yasir Arafat; the philosopher Peter Singer, who usually cares more for animals than for people (his solicitude for the Palestinians is in that sense a great moral improvement); and the international lawyer Richard Falk, once an enthusiast for the Ayatollah Khomeini and a defender of the Khmer Rouge. At MIT there is, predictably, Noam Chomsky (another old Khmer Rouge fan), plus 14 linguists, and 38 others not known for thinking much about politics at all. The Harvard list is equally uninteresting, sporting one distinguished classicist, one unusually undistinguished political scientist, a physicist who works for oil companies, several Arabists, a few theologians, and the French art historian Henri Zerner—who, I am afraid, can't tell the difference between the Left Bank and the West Bank. But there is one striking exception: Where is Cornel West? Did the famously anti-Israel philosopher of self-promotion decide that Israel wasn't the moral equivalent of apartheid South Africa after all? I doubt it. More likely he couldn't decide whether to sign the Harvard list or the Princeton one.

MARTIN PERETZ

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An Open Letter to the Nations of Europe

Fifty-seven years after the Holocaust, innocent Jews are being murdered in Israel, and Jews and Jewish institutions are being attacked in Europe. In the 1930's and 40's, the destruction of six million European Jews was perpetrated by an evil regime with the assistance or indifference of many others throughout Europe.

Today, in a very different world, the nations of Europe are once again playing a detrimental role in the face of the murder of Jews in Israel. Europe's refusal to take a principled and moral stand against Palestinian terrorism has abetted the continuing terrorist killings. Each time the American government pressures Arafat to curb terrorism, Europe gives him a way out not to act. That in turn gives license to act to the perpetrators of anti-Israel and anti-Semitic violence in Europe.

There is hope that the killing can cease if Europe joins America in telling Mr. Arafat in the clearest terms that terrorism must stop. He must be put on notice that if it doesn't, Israel has the fundamental right, as do all nations, to protect itself and its citizens.

The message must be clear and consistent: Stop the violence. Combat the terrorists. Stop the incitement against Israel. Negotiate in good faith a compromise agreement that will lead to peace with security and independence for Israelis and Palestinians.

Nothing justifies terrorism. If one is to believe that Europe has learned anything from the destruction of European Jewry then now is the time to act.

Glen A. Tobias, National Chairman
Abraham H. Foxman, National Director

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